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THE BLACK BOOK OF LIMERICK: STUDIES ON THE DIOCESE OF LIMERICK BASED PRINCIPALLY UPON THE MANUSCRIPT KNOWN AS "THE BLACK BOOK OF LIMERICK."

INAUGURAL-DISSERTATION

ZUR ERLANGUNG DER

PHILOSOPHISCHEN DOKTORWÜRDE

VORGELEGT DER HOHEN PHILOSOPHISCHEN FAKULTÄT DER

ALBERT-LUDWIGS-UNIVERSITÄT

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BLACK BOOK OF LIMERICK.

CHAPTER I.

THE MANUSCRIPT KNOWN AS THE BLACK BOOK OF LIMERICK.

(a) *The History of the Manuscript.*

THE Manuscript[1] was preserved in the archives of the Diocese of Limerick from its compilation till the Reformation, and then it naturally passed into the hands of the Protestant Bishops of Limerick. We find it in the possession of Bishop Adams, who added the portion from p. 147 to the middle of page 152, dealing with the repairs done to the old Cathedral of St. Mary's, Limerick, between the years 1604 and 1621. During the Confederate War (1641-1652) Bishop Webb (1634-1641) was besieged in Limerick Castle by the Confederate forces, and on the capitulation of the Castle (1642) the Manuscript was taken possession of by the Irish soldiers. From that time we know nothing of its history till the beginning of the nineteenth century, when it was given by a Protestant gentleman to Bishop Young (1796-1814), the then Catholic Bishop of the Diocese of Limerick. Bishop Young added the note about the Church of Kilmurly (p. 152), as well as the Preface, dealing with the life of Bishop Adams, and the

[1] For the MS. Black Book of Limerick, *vide* Report of the Commission on Historical MSS., Vol. III., pp. 434-435 (1872); Reeve's "Notes on the Black Book of Lim.," MS. 1063, Library, Dublin University; "Survey of the Ancient Churches of Limerick," by T. J. Westropp, Dublin. 1905, pp. 340 sqq; Lenehan's "History of Diocese of Limerick," 1866, p. 554 sqq.; Begley, "The Diocese of Limerick," 244 sqq. Copies of the MS. are in the Library of Trinity College, Dublin, of St. Patrick's College, Maynooth, and in that of the Bishop of Limerick, while extracts from it are in the MS., No. 654, Trinity College, and in the Lansdowne MS., No. 418, British Museum. The Manuscript is cited under different names. Ware, in his Bishops of Limerick, cites it as the Regestum Decani Limericensis; while Bishop Adams refers to it as the "Bishop's Black Book," (MS. p. 147). Later writers generally refer to it as the "Black Book of Limerick." For the reasons given below (p. 5) it cannot be directly designated as either the Book of the Bishop or Dean of Limerick.

different names by which the Manuscript is referred to by Ware and Adams. Besides, many marginal notes are clearly from the same pen. It remained in the possession of the Catholic Bishops till Dr. Butler (1864-1886) lent it to Dr. Renehan, Vice-President, Maynooth College (1834-1845), who was then engaged on a history of the Archbishops and Bishops of the Irish Church, and on his death it passed, with his other manuscripts, to the Library of Maynooth College, though it still remains the property of the Catholic Bishop of Limerick.

(b) *Description of the Manuscript.*

Exclusive of the modern preface, the Manuscript consists of 152 pages. The pages are ten inches long by seven broad, and in the first portion of the work there are, as a general rule, twenty-nine lines to the page, while towards the end (from page 127-134), where the writing is smaller, and the lines more close, we find as many as thirty-three to the page. The writing is clear and distinct, and the contractions, such as are usually found in Latin documents of the period. The titles of the entries and the capital letters are rubricated, and in some cases the opening letters of the items are slightly ornamented.[1]

The vellum used in the earlier portion of the volume (to p. 134) is remarkably beautiful, and differs very much in quality from the material employed towards the end. The Manuscript is in a good state of preservation, except that from page 134,[2] line 29, to end of page 135, together with portions of 136, 137, and 138, it has been blotted over with some chemical, which makes it difficult, if not impossible, to decipher the text. On pp. 142 and 143 the writing has become in part illegible. Between the pages now marked 136 and 137 a leaf is evidently wanting, which contained the end of the Procuration, and the beginning of the Taxation table. According to the note added by Bishop Adams (old cover of MS.), the volume consisted of seventy-six folios in writing (plena scriptis), though to-day, even counting the covers, there

[1] *Vide* Reeve's Notes on Liber Niger MS. 1063, Trinity College, Dublin.

[2] The older portion of the MS. is free from this; it is only the later additions that are affected by it.

are only seventy-five. The explanation is that the folio containing the end of the Procuration Table and the beginning of the Taxation now lost, was in the Manuscript in his time.[1] Bishop Young noticed that this page was wanting, as is evident from his marginal note.

The text is written on both sides of the page, and in single column, except from page 135 to 141,[2] inclusive, when we find the double column entries. In the earlier portion of the work (pp. 1-134) we find that, as usual in manuscripts written before the fifteenth century, it was originally not paged, but numbered by folios. This numbering was done by the compiler, and in the Roman characters; and when, later on, these became slightly indistinct, the same was done in Arabic characters, as far as folio 35 inclusive. In addition to this, the whole manuscript was paged in ordinary Arabic characters, possibly by Bishop Adams.[3]

(c) *Divisions of the Manuscript.*

The MS. may be conveniently divided into two parts, the oldest portion of the work, and the main portion, ending with page 134, line 29, and the later additions of the Procuration, Taxation, and Rental Tables, etc., made in the time of Bishop O'Dea (1400-1426), Bishop John Mothell (1426), Bishop Adams, etc., and others. Besides, there is in the beginning a "Table of Contents," which was written by the compiler of the early part of the work. We have, thus, then, three main divisions—(1) the Table of Contents; (2) the Documents forming the substantial part of the Volume; (3) the Later Additions.

(1) *The Table of Contents.* The "Tabula Instrumentorum," as it is called, was evidently drawn up by the compiler of the work, and

[1] Bishop Adams made a transcript of the later portion of the work, which was becoming illegible. This is known as "The Little Black Book," and was preserved in the archives of the Protestant Bishop of Limerick till recently, but on applying to the Right Rev. Dr. Orpen, the editor has been informed that no trace of such a MS. can be found at present among the documents contained in the Diocesan Archives.

[2] Dealing with the Procuration and Taxation Tables, etc.

[3] A great many notes on the margin of the pages of the MS. are, apparently, from the hands of Bishop Young, but some of them from an earlier hand, possibly that of Bishop Adams.

at the same time at which the other documents were collected. It consists of six folio pages, and the different documents are numbered in Roman characters[1] as far as No. 73, when the numbering ceases, the last item so numbered being "*Libertates concessae Ecclesie Lymericensi et ab episcopis et canonicis eiusdem loci confirmate,*" while in the body of the Manuscript corresponding numbers are prefixed to each document by the original writer as far as No. 60.[2] Some later hand continued the Roman characters in the body of the MS. up till No. 73.[3] Afterwards the page on which the different items are to be found was written on the Index in Arabic characters.

The Index, though drawn up by the original compiler, presents some curious features. In the first place, a great many documents *actually contained in the MS. are omitted in the Index*[4]; sometimes, in fact, the documents contained in several pages of the MS. are passed over in silence[5]; while after page 130, line 17, the Index suddenly breaks off, and no notice is taken of any of the other documents.[6] Again, we find marked in the Index, and included in the Manuscript as different items, what are really only *duplicates of the same* document.[7] Besides,

[1] A comparison with the other portions of the MSS. shows clearly that this was done by the original compiler.

[2] p. 42.—Collacio episcopi Lymericensis facta Communitati ecclesie Lymericensis de Clonka, No. LXIV. The Roman numerals refer to the printed edition of the MS.

[3] Except No. 70, which was evidently numbered by the original compiler. Carta episcopi Lymericensis facta Thome filio Seman super quinta parte molendini de Kilmehallok, No. LXXIV.

[4] *e.g.*, No. I., The Inquisition about lands of Donaghmore.

[5] From p. 62-73 all the documents have been omitted in the Table of Contents. They are (1) The Regulation of the Bishop of Limerick about the buildings which Thomas Wodeford, Dean, granted to the Chapter; (2) Carta Johannis iuvenis super quinque marcis quatuor solidis et quatuor denariis anni redditus in tenemento de Kyllocia; (3) Carta Philippi filii Johannis filii Thome super quatuordecim solidis anni redditus in tenemento de Kyllocia; (4) Carta Willelmi Ruffi de Killocia, etc.; (5) Carta Thome Stoke, etc.; (6) Carta Ade, etc.; (7) Grant of Bishop Hubert to Thomas Wodeford, Dean of Limerick.

[6] The last entry in the Table of Contents is—Quietaclamancia Willelmi de Wes super advocacione et iuris patronatus ecclesie de Crecouertha, No. CXLVIII. There are omitted from No. CXLVIII. to CLXXVI. inclusive.

[7] No. XVI. is duplicate of No. XVIII. p. 16. It is stated that it is not necessary to include the sentence of excommunication against Geoffrey de Mareys, but it is included, Nos. CLVII., CLVIII., CLXI.

the numbering of the Index, and the numbering of the different documents in the body of the MS., though both are evidently done by the compiler, very often do not correspond,[1] while, finally, documents dealing with the same subject are scattered here and there throughout the MS., without any order or connexion. The conclusion from all this, must be that the compiler did his work very carelessly—a fact which will explain other peculiar features of the work to be dealt with presently.[2]

(2) *The Documents forming the substantial portion of the MS.* These extend from the beginning to page 134 (line 29), and this is the oldest portion of the MS. All the documents are copied in the same hand, though there are traces of haste in writing towards the end.[3] The earliest document is that entitled "Carta Donaldi regis Lymericensis,"[4] from between the years 1192 and 1194, and the latest is an indenture made by Stephen, Bishop of Limerick, in the year 1362.[5] The greater number of the documents included in the MS. are from the year 1222 A.D. to 1300. But, it should be noted that the compiler paid no attention to the chronological order. Thus, for example, the second document in the MS. is dated the thirteenth year of the reign of Edward (I.), 1285, whilst the next is dated the eleventh year of the same reign, 1283, and the one immediately following is from the fifty-first year of the reign of Henry, son of John (Henry III.), 1267. Again, it is only at page 21

[1] From No. 17 the numbers marked in the Index do not correspond with the numbers in the body of the MS.

[2] From certain peculiar mistakes occurring in the text; as well as from the different methods of spelling names and places, we may infer that the compiler wrote from dictation.

[3] From page 127 the writing is smaller, and there are more lines to the page.

[4] No. XXIX.—The document is not dated, but as one of the witnesses, Matthew, the Archbishop of Cashel, was appointed in 1192, and as Donald died, 1194 the grant must have been made between 1192 and 1194, and probably immediately before the death of Donald, 1194.

[5] This is found in MS., p. 133. "Hec indentura facta die lune proxima ante festum Purificationis Beate Marie Virginis anno regni Edwardi tertii post conquestum Anglie trigesimo (in text, tricesimo) sexto. Stephen was Bishop from 1360, and was transferred to Meath; died 1379.

we find the earliest document in the whole collection (1194), dealing with the endowment of St. Mary's Cathedral by King Donald, while on page 108 sqq. is to be found the document entitled, "Ordinacio Donati Episcopi Lymericensis super divino officio in Ecclesia Lymericensi faciendo," dealing with the foundation of the Chapter of Limerick, and which must have been issued before the year 1206. These examples will suffice to show that the compiler evidently did not follow the chronological order in the arrangement of his materials.

Nor did he try to group his documents in relation to the different subjects dealt with in the volume.[1] The documents deal with St. Mary's Cathedral, its Chapter, the endowments of the Cathedral and Chapter, Law suits, Settlements, Charters, Inquisitions regarding the property of the Diocese of Limerick, the Bishops of Limerick and their Revenues, Papal Letters, Royal Letters, Appointments to and Resignations of Benefices, Disputes between the Bishop of Limerick and the Religious Orders, the Statutes of Limerick, and, particularly, the Statutes made by the Chapter, payments made by the Bishop in the Roman Curia, the Relations between the Bishop of Limerick and the Archbishop of Cashel, etc., etc." A glance at the Index will show that, with the exception of the first few pages,[2] these are collected together without any order or method. Documents bearing on the same subject are scattered up and down throughout the volume.[3] From this it is fairly evident that the compiler of the MS. simply copied into one volume *the documents as he found them in the Archives of the See of Limerick* in order the better to preserve them,

[1] A similar Register is the Register of the Diocese of Dublin, known as the "Crede Mihi," published by Sir John Gilbert, Dublin, 1897. The documents in this are not set down in chronological order, though those relating to the same subject are better grouped than in the Black Book. It contains all kinds of documents—Papal Letters, Charters, Agreement, Ordinances of a Synod (1217), Royal Letters, etc.

In the "Crede Mihi" the titles of each document are not written at the head, as is done in the Black Book, but a blank space was left for them.

[2] Dealing with agreements made in the Courts, p. 1, line 17, to page 12, line 28.

[3] Thus we find Royal Inquisitions about the property of Limerick, Nos. XXIII., XXIV., LXIII., CXXXIII. Payments in the Roman Curia, Nos. LXIX., CLVI., CLIX., CLX., etc.

and without any very definite object in view, except, perhaps, the vindication of the property of the Diocese of Limerick.

The Later Additions. Those added in the time of Bishop O'Dea and later are in a very different writing from that adopted in the preceding portion. They extend from page 135 to end of 145. In them we find "Taxa Procurationum," "Taxatio Decimarum," the "Rentalis terrarum" of the Diocese of Limerick, together with Inquisitions and Memorandums relating to the same subject.[1] The Appendix added by Bishop Adams dealing with his own work in restoring the Cathedral of St. Mary's and recovering property that had been lost to the Diocese of Limerick, are comparatively unimportant.[2]

From this sketch of its contents it can be seen the Black Book is not the Bishop's Book, as distinct from that of the Chapter, in which an account was kept of the property of the Bishop[3]; nor is it, on the other hand, the Book of the Chapter, as seems to have been supposed by Ware, when he cites it as *Regestum Decani Lymericensis*,[4] for we find in it, many documents not bearing upon the Chapter or its rights[5]; nor is it, again, rightly described as a Cartularium[6] of the Cathedral of St. Mary's, Limerick, though the latter name is more appropriate than that given by Ware. It is simply a compilation made up of transcripts of the documents found by the compiler in the Archives of Limerick, or elsewhere dealing in any way with the Diocese of Limerick,

(d) *The Date of the Manuscript.*

The Manuscript which, as we have seen, is a mere compilation from the documents found in the Archives of Limerick, appears to date

[1] These were copied by Bishop Adams, and are known as "The Little Black Book of Limerick." They are now, as they stand in the MS., in many parts illegible.

[2] Page 147 and 148 are in Latin; the remainder is in English.

[3] Because all kinds of document, many of which refer to the Chapter and to the property of the Chapter, are found in it.

[4] Bishops of Limerick. Cited in introduction to MS. by Bishop Young.

[5] *e.g.*, the payments made by the Bishop in the Roman Curia—the disputes with Religious Orders, etc.

[6] Cartularium is a Register containing the privileges and the titles of property of a church, or town, or signory. ("Prou. Manuel de Paléographie" p. 193). In the Black Book are contained documents having no connection with the property, etc., of Limerick; *e.g.*, the reference to Archbishop of Cashel, No. LVI., and agreement between Limerick and Lismore, No. LXXXII.

from about the year 1362. The main reason for this statement is, that this is the latest year from which we have any documents in the original work. We may well suppose that the compiler would have given us documents of a later date, if these had existed in the Archives; though we admit such an argument is not conclusive. Besides, from a comparison of the original portion with the additions made in the beginning of the fifteenth century, it is evident that a good many years must have elapsed between the composition of the two parts—how long it is not easy for us to determine accurately by internal evidence, but we think a comparison of the two parts will point to about the year which seems to be indicated by the contents themselves. This same conclusion is strengthened by a comparison with other documents of the same period.[1]

[1] The writing and abbreviations are of the usual kind. The formation of the letter e might give difficulty. It is found in both forms, ϵ and ꝯ; s is found ſ, ß, and in body of word, or beginning, ſ. The figure 4 is indicated by IIII., whether alone, or appearing as, for example, twenty-four, XXIIII. As a rule, there are no catch words, that is to say, the first words of the next page are not put under the last line of the preceding page, though we do meet examples of this, p. 18. In corrections the words are stroked out, and dots placed underneath, and omissions are indicated // //; *e.g.*, p. 23 (M.S.). The resemblance between some of the letters, especially between c and t, n and u, f and s, b and v, is so close in some cases, that it is impossible to tell from the text itself which is the correct reading. The same is true of many other MSS. of the period. The peculiar orthography of the original has been preserved in the edition of the text unless it was so inaccurate as to be evidently a blunder on the part of the copyist. Hence, it is not to be wondered at if the names of places and persons occur in slightly different forms in the various items, or even in the same item.

CHAPTER II.

DATING AND TITLES.

MANY of the documents contained in the MS. are not dated, and with regard to these the date can be determined only by internal evidence, that is to say, in case of transcripts such as these, by the references to persons or events found in the document itself. The mention of the bishop ruling the See of Limerick as well as the list of signatures attached to some of the items will in many places assist us to determine approximately the date of the document, though in some instances, on account of the confusion of names—the first letter of the name only having been given—very little certainty can be guaranteed.[1]

Of those which are dated, some are dated by the years of the Christian Era. This was perhaps the most common method employed by the scribes of the Middle Ages, especially after the year 1,000. The formulæ employed in these cases varied very little. Those employed in the MS. are "anno domini," "anno gratiae," "anno incarnationis," "anno incarnationis dominicae."

In regard to this class the only difficulty that can arise is about the term from which the year begins. This was different in different countries, and at different periods in the same country. In England till the time of the Norman Invasion, the year was reckoned from Christmas Day (25th December), but after that time various other reckonings were employed. For example, the 25th March (Annunciation), the 25th December (Nativity), the 1st January (Circumcision), and Easter, were adopted by some as the days on which the year began.[2] But by the middle of the twelfth century the 25th March (Annunciation) had been adopted by the ecclesiastical authorities and was generally accepted by the scribes. This method of calculation

[1] The first letter of the bishop's name given in some places is R. This might refer to Robert of Emly (1251-1272), or to Robert of Dondovenald (1302-1311).

[2] Diversis terminis et rationibus anni Domini incipiuntur. Quidam enim incipiunt ipsos annos Domini ab Annunciatione, quidam a Passione, quidam a Circumcisione . . quamplures . . a Nativitate.—Gervasii Chronic. ed. Stubbs, London., t. I. p. 88.

remained in England and Ireland till abolished by law in 1751.[1] The English introduced this method into Ireland, and it is this which was followed in the dating of the documents contained in the "Black Book." Hence, if we wish to determine accurately the date of a document according to our present system (beginning with 1st January) it should be noted that the year of any document dated between 1st Jannary and 25th March is not that marked in the document itself, but should be reckoned according to our system as belonging to the following year.

Others are dated by the years of the reign of the King of England. This method of dating by the years of the reigning sovereign had gradually spread itself over Europe after the year 800, and was very generally followed in England at this period. It seems a simple mode of calculation, but yet on closer enquiry it presents serious difficulties.[2] The reason is that we can seldom be quite certain how the scribes calculated the years of the reign. Did they date from the death of his predecessor, or from the actual coronation of the king? Did they reckon the first year from the commencement of the reign till the recurrence of this date the following year, or did they calculate as a whole year the fraction of the first year of the reign, or did they, on the other hand, neglect this fraction of the year, and bring the years of the reign into harmony with the years of the Christian Era by counting the first year of the reign from the beginning of the year immediately following the succession to the throne? All these methods were employed simultaneously by the scribes, and whatever may be said about the official documents issuing from the Royal Chancellory, it may be safely said that the particular method of calculation employed by the private scribes cannot be determined with certainty. In calculating the years of the English kings we have followed the dating as arranged in Rymer's Fœdera, and as is usually followed by English historians.

It should be noted that in addition to the Papal Letters contained in the "Black Book" which are, of course, dated by the year of the

[1] *Vide* Thompson's Greek and Lat. Palaeography, p. 324, Giry, "Manuel de Diplomatique," pp. 124-125.

[2] *Vide* Giry, ut supra, pp. 85-87.

Pontificate of the Pope, the Italian Bankers,[1] whose receipts are also included in the volume, date their documents by the reign of the Pope, not by that of the King of England.[2]

In determining the day of the month there is, as a rule, very little difficulty. The day is generally indicated by reference to some fixed ecclesiastical feast, *e.g.*, the Feast of St. Edmund, Martyr, (20th November), St. Michael (29th September), the Purification B.V.M. (2nd February), the Feast of St. Patrick (17th March). In other cases it is dated with reference to a movable feast, *e.g.*, Pentecost, and as the day on which these movable feasts fell was determined by the date of the Easter in that year, the calculation becomes a little more involved.

In some of the documents the day is given, *e.g.*, 11th September,[3] as it would be given at present, and in a great many others, it is given according to the method common in the Middle Age documents, the Kalends,[4] Nones, etc.

As was usual in documents of the thirteenth and fourteenth centuries, the dates are expressed in a great variety of ways. Sometimes the whole date is given in Roman numerals, *e.g.*, M° CC^mo LXIII.[5] and M° CC^mo XLV°,[6] but as a general rule it is given partly in letters, partly in figures, *e.g.*, M° CC^mo nonogesimo octavo,[7] M° CC^mo L° tertio,[8] M° CC^mo quadragesimo.[9]

Titles.

In the earliest document in the book Donald O'Brien simply subscribes himself "Donaldus Rex Lymeric."[10] But in all the documents for the kings of England a more involved title is adopted. First, they adopt the formula that had been introduced by Charlemagne—namely, "Rex dei gratia," and which had gradually become universal; and, in the second place, following the usage that had become common

[1] *e.g.* No. CLIX. Berardus Rusticii (1236). No. CLX., No. CLXII., Stephen Manetti, etc.

[2] In No. XXIII. the style of dating deserves notice. Noverit universitas vestra quod anno quo dominus T[homas] primas Ardmachanus obiit. It is the Inquisition of Myler Fitzhenry, and belongs to year 1200-1.

[3] No. LXX. [4] *e.g.*, No. CII. [5] No. LXVI. [6] No. CLV.
[7] LXXV. [8] No. CIV. [9] No. CXXXVI. [10] No. XXII.

during the twelfth century, they invariably add to their principal title others indicating the countries over which their jurisdiction extended.[1] Hence, the usual formula to be met with in the Black Book is, *e.g.*, "Henricus dei gratia Rex Angliae, Dominus Hiberniae, Dux Nortmannie, Aquitanie, et Comes Andegavie."

The Papal Letters contained in the MSS. follow the usual formulae of the Papal Chancellory. The Pope styles himself "Servus servorum dei," and addresses the bishops as "venerabilis frater," and the lower clergy as "dilecti filii." For example, Innocent IV. begins a letter—"Innocentius episcopus servus servorum dei venerabili fratri, episcopo, et dilectis filiis, decano et archidiacono Laonien. salutem et apostolicam benedictionem."[2] Others, in referring to the Pope, generally refer to him under the title "dominus Papa."

There is only one reference to a Cardinal in the MS., Cardinal Otto, Papal Legate in England, and he is styled "Dominus Otto, miseracione divina sancti Nicholai in carcere Tulliano diaconus cardinalis."[4] This is the usual formula at the time.

The Bishops generally style themselves "Dei gratia episcopus," or "miseracione divina episcopus," or "opitulante divinae misericordie gratia episcopus." This formula was in substance adopted as early as the seventh century. Later, about the beginning of the fourteenth century, on account of the more direct interference of the Pope in the confirmation of episcopal elections, the custom was introduced "Sanctae Sedis Apostolicae Gratia." It is found as early as the year 1304. In the Black Book the formula occurs twice (1342) in the case of the Archbishop of Cashel—"Johannes Dei et Apostolicae Sedis gratia,"[5] and is once employed by the Bishop of Limerick (1362)—"Stephanus Dei et Apostolicae Sedis gratia."[6]

The titles of Dean, Archdeacon, etc., will be dealt with fully in another chapter. We refer here only to the curious title "Decanus Christianitatis," which is to be met with in the Black Book[7] and other documents of this period. It is simply the designation of the Rural Deans.

The parish priests are referred to indifferently as "Rectores" or "Personae," and their assistants as Vicarii and Capellani."

[1] Giry. Manual., p. 318, sqq. [2] No. CXXXIII. [3] No. CLV.
[4] No. CLVI. [5] Nos. CLXXIII., CLXXIV. [6] No. CLXXV. [7] No. CVI.

CHAPTER III.

GENERAL SUMMARY OF THE CONTENTS OF THE MANUSCRIPT.

THE earliest portion of the Manuscript is taken up with settlements and agreements made in the King's Court in Dublin, or before the itinerant judges holding sessions in other parts of the country, between the Bishops of Limerick and others regarding the property of the Church of Limerick. Except No. I., which contains an account of an inquiry about the rents of Donaghmore and Kylpychan, all other articles as far as No. XXII. deal with these trials. The Bishops mostly concerned are Robert (1251-1272) and Gerald Le Marescal (1272-1301).

There are only four Papal letters preserved amongst the documents, and none of them are of very special importance. Two of them were written by Gregory IX., one of them (No. CLVII.[1]) written in the ninth year of his Pontificate (1235) to the Bishop of Lismore in connection with the sentence of excommunication that had been issued by the Bishop of Limerick against Geoffrey de Mareys, justiciary of Ireland, on account of the injuries done by him to the person and property of the Bishop and clergy of Limerick, and the other, (No. CLVIII.) to the Bishop of Cloyne two years later (1237) on the same subject. Two others were sent by Innocent IV. One of these (No. CLV.) deals with the granting of ecclesiastical burial to one G. de Rupe, who had been excommunicated by the Bishop of Limerick, and who having died without absolution had received ecclesiastical burial from the monks of the monastery of Inistioc, in the Diocese of Ossory. The Pope directs the Bishop, Dean, and Archdeacon of Killaloe to inquire into this matter (1245). The second letter (No. CVII.) was directed to the Bishop, Dean, and Archdeacon of Cloyne regarding the dispute that had been going on for years between Hubert Bishop of Limerick and the

[1] *Vide* Calendar of Documents, Ireland I., No. 2267, 2268.

Monastery of Athissel about certain churches in the diocese of Limerick (1252). The want of many Papal Documents is compensated for by a number of items headed "Payments in the Roman Curia." (Nos. LXIX., CLVI., CLIX., CLX., CLXIII., CLXIV., CLXVII.). These deal with the financial transactions that took place between the Bishops and Chapter of Limerick and the Italian Bankers. The Bishops were in need of money, and to raise it they borrowed from these bankers, pledging their churches and property as a guarantee of payment. The Holy See granted its permission for such loans on these terms, and promised to lend its assistance in the collection of these debts. This subject is so important that it requires to be treated at greater length in another chapter.

From the documents sent by the secular authorities more are preserved. The first of these, and perhaps the most important, is the grant (No. XXXII.) made by Donald O'Brien, King of Limerick, of certain lands to the Cathedral of St. Mary's, Limerick, about the year 1194. Three letters of King John are contained in the manuscript. The first of these (No. XXXIX.) deals with the protection granted to Bishop Donatus and to the property of the Church of Limerick, and was written from Rouen possibly about the year 1199. The second (LXX.) refers to the yearly grant of ten pounds to Edmund, Bishop of Limerick, from the Exchequer in Dublin, and requests Geoffrey de Mareys to assign certain lands in the vicinity of Limerick to the Bishop in commutation of this grant.[1] The third (No. CXXV.) contains a grant of a portion of land to the Canons and Church of St. Mary's, Limerick, the date of which is uncertain. In (No. LXXII.) Henry III. directs certain inquiries to be made by the Archbishop of Cashel and the Bishops of Ferns and Lismore about the dues of the fisheries and mills of Limerick, whether they belonged to the King's Chapel in Limerick or to the Chapter of St. Mary's (1226). The same directions are repeated (No. CXXXIII.). There is one letter from Edward I. (LXXII.), written in the 52nd year of his father's reign (1268), granting certain privileges in connexion with their houses and court-yards

[1] *Vide* Calendar of Documents, Ireland, Nos. 589, 710, 713.

to the Chapter. Three letters of Edward III. (Nos. CLXX., CLXXI., CLXXVI.) are contained in the manuscript. The third of these, written in the year 1358, is the last entry contained in the original volume, and refers to the case of a certain priest in the diocese of Limerick against whom serious charges had been made. Bishop Stephen is directed to send him for trial to the King.

Under this section also is to be noted an important inquiry held about the Churches and property of Limerick. Two accounts of this are given in practically the same words (Nos. XXIII. and XXIV.) The first of these (No. XXIII.) states that the inquiry was made by orders of Meyler Fitz-Henri, who had been appointed Justiciary by King John on his accession to the throne, and who remained in office till 1203, when he was superseded by Hugh de Lasci.[1] As stated in the document itself, the inquiry was held in the year in which Thomas, the Primate of Ireland, died, that is to say about 1200 or 1201. It was presided over by William De Burgo, Viceroy of Munster, assisted by the bishops of Killaloe and Ross, Geoffrey de Mareys, &c., and the jury was composed of twelve Englishmen, twelve Irishmen, and twelve Ostmen. The inquiry is valuable as indicating the names of the Churches of Limerick, or rather the Norman version of the old Irish names, at this period, though the list of the churches does not appear to be complete.

In connection with the Chapter of Limerick, many documents of importance are contained in the Black Book. Some of these are of general interest for students of the constitutional history of the Church. The document (No. CXLII.) deals with the foundation of the Chapter by Bishop Donatus O'Brien, with the motives for its foundation and the principal duties of the new body, with the persons appointed, the prebends, and means of sustentation fixed for them, and with their rights and privileges. Nos. LVII., LVIII., LXXXI., etc., contain confirmations and extensions of these grants. No. LXXVII., which is entitled "Liberties granted to the Church of Limerick, and confirmed by its Bishop and Chapter," is interesting as being a very early example of an

[1] *Vide* "History of the Viceroys of Ireland." Gilbert, pp. 58-59.

election compact; that is to say, the Canons before proceeding to an election bound themselves by oath that whichever of their number should be elected, should observe the terms of this agreement. The rights claimed for the Chapter are important, and were confirmed by Bishop Gerald (No. LXXVIII.). Another election agreement of the same kind is included under No. CLXVII. No. CXLVIII. contains the new regulation about the prebends introduced by Bishop Eustace (1311-1337). Another important document is No. LXXXIV. which is a copy of the agreement made between Chapter of Limerick and the Archbishop of Cashel (1302) regarding the government of Limerick, *sede vacante*. No. LXXXII. is an account of a confederation entered into by the Bishop and Chapter of Limerick and the Bishop and Chapter of Lismore for the mutual defence of the rights and liberties of their churches.

Most of the documents deal with the grants made to the Church of Limerick. Those relating to the rent role of Kilmallok, especially Nos. LXXXVII., LXXXVIII., LXXXIX., XC., in which a list of the inhabitants is given, deserve attention. Of the law suits contained in the manuscript perhaps the most remarkable are the actions against Geoffrey de Mareys (Nos. XXVI., CLVII., CLVIII.), and the Prior of Athissel (Nos. CII., CXVII., and CXXXIV.).

The Appendix to the original volume contains the Procuration, Tithes, and Rent Tables as they stood at the time of Bishop O'Dea, with several inquiries and trials held in connection with the property of Limerick. Bishop Adams gives an account of his services to the Cathedral and Church of Limerick.

CHAPTER IV.

IRISH EPISCOPAL ELECTIONS IN THE MIDDLE AGES.

BEFORE dealing with the Bishops of Limerick it might be well to sketch briefly the method of conducting episcopal elections in Ireland, especially during the twelfth and thirteenth centuries.

In the early ages of the Church the bishop was usually elected by the clergy and people of the diocese with the approbation of the provincial bishops and more especially of the metropolitan.[1] But with the conversion of the Roman Emperors, and the consequent union of Church and State, the freedom of election could be no longer completely maintained. The Emperors[2] began to interfere in the choice of popes and bishops, and this interference, instead of disappearing with the disappearance of the Western Empire, was more marked under the Merovingian and Carlovingian rulers, till at last, under the full influence of the feudal system, the bishop was looked upon as a secular baron, and was frequently selected and invested with the ring and crozier without the knowledge or consent of the provincial bishops or of the metropolitan. The latter was, indeed, usually selected to carry out the consecration, but this ceremony was looked upon as the necessary sequel to the ruler's selection. In this way, while the Church gained in temporal possessions, her liberty was restricted, the popes and the bishops enslaved, and as a result there was no authority powerful enough to remedy the abuses which such a system was sure to entail.

But, fortunately, the Emperors, from Otho III. (983-1002), and more especially Henry III. (1039-1056), had spared no pains in securing the consecration of w[illegible]thy popes, while the succession of Henry IV. (1056), then only a child, o[illegible]red a favourable opportunity to men like Leo IX.

[1] For the election of Bishops *vide* Thomassin, *Vetus et nova ecclesiæ disciplina*, B. II., 1, 2, c. 1, 43. Hefele's "History of the Councils I." (366-369). Hinschius, "Kirchenrecht II." 521 sqq. Hauck, Die Bischofswahlen unter den Merovingern. Erlangen, 1883. Below, Die Enstehung des ausschhesslichen Wahlrechts der Domkapitel, Leipzig, 1884.

[2] *e.g.* Constantine, Constantius, &c.

and Gregory VII. to break the bonds by which the Church was bound, to remedy abuses by the appointment of good rulers, and to secure the appointment of good rulers by the re-establishment of free canonical elections. It was with this object that the war against Investiture was begun by Gregory VII., and though he himself did not live to reap the fruits of victory, his policy and his spirit survived, and in the twelfth century free canonical elections were again, at least nominally, established in the German Empire, France, and England.[1]

In Ireland, St. Patrick seems to have appointed the bishops during his missionary career, and to have appointed them in conformity with the political organisation which he found existing in the country—that is to say, he gave to each of the greater clans a bishop to minister to their spiritual wants, as can be seen from the fact that most of the ancient Irish dioceses coincide exactly or almost exactly with the territories of certain well-known clans.[2] The chieftains marked out certain lands and possessions for the support of the Church, and just as the feudal system of land tenure affected the freedom of election on the Continent, so the peculiar Irish system gave the clan certain rights over the Church, as can be seen from the Brehon Laws.[3] The administration of the Church was vested in the family of the founder of the Church, or in that of the lay prince who endowed it, and thus, while a certain freedom of election may have been allowed, the choice was restricted to the descendants of the spiritutal or lay founder, both of whom were in many cases identical, and it was only failing these that the selection of a stranger was permitted. This will explain how before the appointment of St. Malachy the ruling family in Armagh had succeeded in holding the Primatial See for eight generations of bishops.[4]

[1] *Vide* Hinschius ut supra.

[2] *Vide* "Lives of St. Patrick," *apud* Stokes. "Vita Tripartita," II Vols. (Roll Series). Reeves' "Eccl. Antiquit. of Down and Connor," 126 sqq. O'Flaherty's "West Connaught," edited by Hardiman. Todd's "St. Patrick" (Introduction).

[3] *Vide* "Ancient Laws of Ireland." Vol. III., pp. 73 sqq.

[4] St. Bernard's "Life of Malachy." Chap. X. "Verum mos pessimus inoleverat quorumdam diabolica ambitione potentum sedem sanctam obtentum iri hæreditaria successione. Nec enim patiebantur episcopari, nisi qui essent de tribu et familia sua."

Nor need it be deduced from this that the Irish episcopal system differed essentially from that existing in other parts of the Church. The authenticity of the canon[1] attributed to St. Patrick, by which he laid it down that no bishop should presume to ordain in another diocese without the consent of the local bishop, cannot well be denied. The evidence in its favour, both internal and external, is sufficiently convincing,[2] and on the other hand we may well ask those who deny its authenticity, if it be not from St. Patrick, whence did it come? Was it likely that later generations of Irish clerics who, according to them, acknowledged no diocesan organisation, should have ratified such a decree? Besides this, the later Irish canons[3] clearly specify that the bishop is to be selected by the clergy and laity of the district with the consent of the neighbouring bishops, and especially of the metropolitan; that the bishop himself during his own life is not to appoint his successor except with the consent of the clergy and people;[5] that a stranger is not to be elected unless no suitable man can be found in the diocese,[6] and that the person so selected and consecrated should reside in his own district,[7] should hold synods, and should be guided in important matters by the advice of his clergy.[8] Nor is it true to say that the Irish Church recognised no metropolitan. The canons we have quoted, the Liber Angeli, dating from at least 800,[9] the visitations of the Archbishop of Armagh even in Munster and Connaught, as recorded in our Annals,[10] the statements of St. Bernard[11] and Geraldus Cambrensis, the fact that under Celsus the Primacy was universally recognised, all these, not to speak of many minor incidents pointing in the same direction, lead us to conclude

[1] Texts of these Canons, Haddan & Stubb's "Councils." Vol. II. (328-330).
[2] *Vide* Bury's "St. Patrick," pp. 233 sqq.
[3] "Die Irische Canonsammlung" (Wasserschleben).
[4] *Idem*, Chap. V. [5] *Idem*, Chap, 18. [6] Chap. 17.
[7] Chap. 9. [8] Chap. 10. [9] *Vide* W. Stokes' Edition "Vita Tripartita," Vol. II.
[10] In the years 908, 1021, 1068, 1094, &c,
[11] "Vita Malach." Chap. X. "Cujus (Patricius) reverentia honore tamquam apostoli illius gentis qui totam patriam convertisset ad fidem sedes illa, in qua et vivens præfuit et mortuus requiescit in tanta ab initio cunctis veneratione habetur ut non modo episcopi et sacerdotes sed etiam regum et principium universitas subjecta sit metropolitane in omni obedientia."

that in theory, at least, the metropolitan rights of Armagh were never entirely forgotten, though we are quite willing to admit that the want of political unity reacted upon the ecclesiastical organisation and tended to prevent the exercise of the metropolitan jurisdiction.

All these things tend to prove that the Irish episcopal system did not differ from that of other countries. The Irish code of ecclesiastical law was in perfect conformity with that in use all over the Continent of Europe, while Ireland's neglect of these laws, and the sources of this neglect, had an exact counterpart during these centuries in most parts of the Catholic Church. We are not unmindful of the so-called monasticism of the Irish Church, but the Irish monasticism, when understood in the light of the "Vita Communis" introduced into the Empire under Charlemagne and Louis the Mild, is not peculiar to the Irish Church, except that it was longer and more strictly observed there, and can find a parallel at least in the eighth and ninth centuries, beyond the shores of Ireland.

But the reformation begun by Gregory VII., and carried into effect on the Continent and in England in the eleventh century, was not without its effect on Irish ecclesiastical affairs. The letters of Lanfranc and Anselm,[1] the efforts of Gillbert of Limerick[2] and Christian of Lismore in the establishment of Canon Law, and the introduction of the Roman liturgy, the work of the Irish bishops themselves, of men like Celsus and Malachy and Gelasius and Laurence O'Toole, the numerous Synods held throughout the country,[3] the introduction of the Cistercian monks,[4] are unmistakable signs that Ireland had awakened to the necessities of reform.

The metropolitan jurisdiction was placed upon a firm footing as in other countries,[5] the number of the Irish bishoprics and the limits of the diocese were clearly defined, the ecclesiastical property was

[1] *Vide* Ussher's "Sylloge," *Migne Patres Lat.* Vol. 59. [2] *Loc. Cit.*

[3] Synods at Rathbreasil (1118); Cashel (1134); Synod in Connaught (1143), Holmpatrick (1148), Kells (1152).

[4] About the year 1141. Mellifont, the first great Cistercian House in Ireland, was founded 1142.

[5] Synod at Rathbreasil established two metropolitans; Synod of Kells (1152 four.

secured for ecclesiastical purposes,[1] the rights and duties of the monks and of the secular clergy were clearly set forth,[2] in a word, the propramme of the Gregorian reformation was realised in Ireland as fully as in any continental country. By the efforts of Celsus, the hereditary succession in Armagh was broken, and it is interesting to note that he secured this object by nominating before his death his successor, Malachy, and that he enjoined upon the King of Munster the duty of carrying out his wishes. Henceforth the metropolitan exercised his rights at the election of a bishop, as is evident by his action at Cork and Clogher.

At this period it is worthy of notice that, besides the real Irish dioceses, a new element complicates the situation—namely, the dioceses where the Danish or Norseman influence was supreme, as in Dublin, Waterford, and Limerick. The inhabitants of these cities having been converted to the Christian faith, wished to have their own bishops, and, owing mainly to political considerations and to the disorganisation of the Irish Church at the period, and, possibly, induced by the personal eminence of men like Lanfranc and Anselm, they turned their eyes to Canterbury as the Metropolitan See, and not to Armagh. The clergy and people in their case selected the candidate, and then sent him to Canterbury for ordination. Here he made an oath of fealty to the Archbishop of Canterbury before his ordination. It should be noted that the petition from Waterford (1096) is signed by Murtach, King of Ireland, and his brother; by four bishops, Donald, Idunan of Meath, Samuel of Dublin, and Ferdomnach of Leinster. In the case, too, of the election of Gregory to Dublin (1122), the election was made in an assembly of the clergy and burgesses of Dublin, and the bishop-elect recommended to Canterbury by the King of Ireland.[3] But this acknowledgment of Canterbury as the Primatial See was peculiar to these three cities, Dublin, Limerick, and Waterford. It was dictated more from political and personal consideration rather than any traditional

[1] Synod of Rathbreasil. [3] *Vide* Gillbert's writings. Migne P. L., 159.
[2] For the documents concerning these dioceses, *vide* Ussher's "Sylloge," Ware's "Bishops under the Diocese of Limerick, Waterford, and Dublin."

right, was resented by the Irish bishops, especially by the Archbishop of Armagh,[1] and after the Synod of Kells is heard of no more in Irish ecclesiastical affairs.

But the reformed Irish Church was not left long to develop itself from within. With the English sovereign claiming political supremacy in some parts of the country, it was inevitable that English customs should be introduced into Irish episcopal elections. Hence it will be necessary to sketch briefly the state of affairs in England. Under Henry I. (1100-1135), though the investiture quarrel was settled,[2] victory rested with the King, and the royal influence was paramount in the selection of the bishops. But under his successor, Stephen (1135-1154), the necessity for the co-operation of the clergy was pressing, and the free canonical elections were established.[3] Henry II. (1154-1189) was of a different disposition. He either appointed the bishop himself, or else, to save appearances, assembled the most prominent clergy and nobles of the district to elect in the Chapel Royal his own nominee,[4] and though he solemnly pledged himself to forego such claims in the Cathedral of Avranches, yet he continued to control the episcopal elections in Normandy and England till his death. In Ireland, too, we find examples of this policy. No sooner did Henry II. learn of the death of St. Laurence of Dublin (1180) than he gave instructions that the revenues of the See should be seized during the vacancy and retained by the Exchequer, and then he invited a few of the clergy of Dublin to come to the royal presence at Evesham for the election of an archbishop, and as a result an Englishman, Comyn, was selected.[5] If we are to credit Geraldus Cambrensis, the Diocese of Ferns might have been his for the accepting, as it had been offered to

[1] *Vide* Ussher's "Sylloge," p. 100, in letter from clergy and people of Dublin: "Sciatis vos revera quod episcopi Hiberniæ maximum zelum erga nos habent, et maxime ille episcopus qui habitat Ardmachæ, quia nos nolumus obedire eorum ordinationi."

[2] In 1106.

[3] William of Malmesbury, "Hist. Nov.," 15. Hinschius, ut supra.

[4] Matthew of Paris, "Hist. Min." anno, 1164.

[5] Ware's "Bishops, Dublin."

him by Prince John. But in most parts of the country the influence of the English king was unfelt, and the old style of election continued as before.

With the advent, however, of King John (1199-1216) difficulties soon began to arise. On the death of Thomas, Archbishop of Armagh, a dispute arose about his successor, there being three English claimants, one of whom received the King's approval. But an Irish bishop, Eugene, had been selected and recommended by the provincial bishops, and his election was recognised in Rome, notwithstanding all the efforts of King John.[1] We find, too, that he commanded the Chapter of Cashel[2] to elect the Bishop of Ferns, that in a grant of the honour of Limerick he retains the appointment to the bishopric and abbacies in his own hands,[3] and that he commands the justiciary to secure the appointment of the rector of Dungarvan to the See of Limerick.[4]

Fortunately there was a man then in the papal chair quite competent to deal with John's pretensions. Innocent III. had interfered in the election at Canterbury, and had himself named Stephen Langton as archbishop. But the king steadily refused to permit his ministrations, and as a result the duel between pope and king began. The Anglo-Irish nobles warmly espoused[5] the cause of John, as can be seen by their declaration, but even their support was unavailing. He was forced to yield, to accept the papal terms, and to grant freedom of canonical election.

According to the Charter of 1215,[6] it was agreed that the king should retain the custody of the revenues of the See during the vacancy; that the electors should petition him for permission to elect before proceeding to do so, and should seek his confirmation for the candidate thus freely nominated; and to prevent the abuse of the royal veto it was agreed that in case he refused permission they might

[1] *Vide* Ware's "Bishops, Armagh." Sweetman's "Calendar of Documents, Ireland," pp. 27, 28, 31.
[2] *Idem*, p. 44. [3] *Idem*, p. 44. [4] *Idem*, p. 54.
[5] Sweetman's "Calendar," p. 73. All the great Norman barons of Ireland signed this declaration.
[6] Matthew of Paris, "Hist. Min. anno," 1215, p. 609, and the confirmation by Innocent III. Potthast, Reg. Rom. Pontif., p. 433.

neglect such a refusal, and as regards the confirmation the king must either grant it, or prove clearly that he had reasonable grounds for withholding it. This agreement was also applicable to King John's territory in Ireland, and thus, henceforth, in the episcopal elections we have three elements to consider—namely, (1) the royal prerogative, (2) the election, and lastly, (3) the confirmation by the archbishop in case of a suffragan See, or by the Pope in case of an archbishopric.

As soon as the bishop died, the king claimed the administration of the revenues of the See till his successor was legally appointed. Sometimes these revenues were handed over to a bishop whose See was small[1] and who had rendered signal service, sometimes they were handed over to the Justiciary (Lord Lieutenant) of Ireland, or to some ecclesiastic to be collected by him, and lodged in the Royal Exchequer.[2] Furthermore, in case of such vacant bishoprics the king claimed the right of collation, as can be seen from the circular addressed to the archbishops and bishops in the year 1226,[3] as well as from the actual appointments made by him—*e.g.*, in Ossory (1220)[4], in Limerick (1223),[5] in Emly (1228),[6] and in Dublin (1234).[7] The bishops of Ireland resented these exercises of the royal prerogative, and resolved to send Hubert of Limerick to Rome to plead their cause (1231). The king also addressed a letter to Gregory IX. in defence of his claims.[8] Whatever may have been the result at the Roman Court Henry III. continued to exercise his privileges.

Before proceeding to the election, those concerned must have secured the permission of the king. This permission was and is what is known as the Congé d'elire. This had been agreed to in the royal charter of 1215, and in 1216 the king addressed[9] a command to the dean and chapter of Armagh and the suffragans of the province forbidding them to elect without his consent. This

[1] *e.g.*, to Dublin (1217), "Calendar of Documents" (Sweetman), p. 117.
[2] *Idem*, pp. 113, 120, 125, 143, 157, 162, 206, &c.
[3] *Idem*, p. 214. [4] p. 150. [5] *Idem*, p. 167. [6] *Idem*, p. 239.
[7] p. 321. [8] p. 281. [9] p. 114.

licence could not be given by the Justiciary of Ireland unless he had been specially empowered; as a rule it should have been sought personally from the king by duly accredited representations of the vacant See. In many cases—*e.g.*, in Ossory,[1] in Waterford,[2] in Dublin,[3] &c., this permission was requested, but in many other cases no steps seem to have been taken to secure the royal permission. Again and again we find that the king was obliged to confirm elections, for the holding of which no permission had been asked or granted, and though he always did so without prejudice to his own rights, there is no evidence that in future these rights were a whit more respected.[4]

The election having been held, the person elected must secure the confirmation of the king, after which the temporalities of the See were assigned to him. These latter were looked upon as quite distinct from the See itself, and as falling under the secular rather than the ecclesiastical jurisdiction. It was for this reason that King Henry III. forbade that suits about Church temporalities should be carried on outside the King's Courts,[5] and that on a dispute having arisen between the Archbishop of Cashel and his suffragans he warns the Justiciary not to interfere with the spiritual penalties that may be imposed by the archbishop, but to take care that the sentence did not interfere with the temporalities of the suffragan Sees.[6] That this was not the view of temporalities prevalent in other quarters we can see from the fact that in 1245 the Pope requests the Bishops of Enaghdune and Clonfert to restrain the Archbishop of Cashel from interfering with the Bishop of Killaloe, who was reputed by him guilty of simony because the King of Thomond had, contrary to the bishop's wishes, paid the justiciary for restoring the temporalities of the See of Killaloe.[7]

[1] "Calendar of Documents," p. 146. [2] p. 189. [3] *Idem*, p. 234.
[4] *Idem*, *e.g.*, Achonry (p. 141); Elphin (p. 425); Killaloe (p. 284).
[5] *Idem*, 308.
[6] *Idem*, p. 393. (1243).
[7] "Calendar of Papal Registers." Vol. I., p. 212.

But the approval of the king was not always sought in Irish episcopal elections, even in these portions of the country where English influence temporarily prevailed. Thus we find that in the year 1251 the Archbishop of Cashel summoned the Bishop-elect of Limerick to appear before him in the Cathedral of Limerick, and declared that if he found his election was canonical he would confirm it forthwith in spite of the king's claims,[1] and again in the same year Florence, Archbishop of Tuam, promoted Thomas to the See of Achonry without the king's consent, and the king requested the justiciary to find some way out of the difficulty.[2] The Chapter of Cloyne elected, in 1241, a bishop without the royal permission, and refused to present him to the king for approval, yet the king allowed their action to pass on securing a promise that they should in future be more observant of the law.[3] In Ulster, at least in the more Northern Dioceses, the King's rights about the custody of the vacant Sees, and his permission to hold elections, were entirely disregarded. In Derry, Raphoe, Clogher, Kilmore the Archbishop of Armagh appropriated to himself the vacancies, and appointed bishops without reference to the king's claims.

By means of the royal prerogatives of the Congé d'elire and the confirmation, Henry III. had hoped to secure that nobody should be elected unless an Englishman or one devoted to English interests. That this is not mere conjecture can be proved from the State documents as well as from the papal archives. Thus, on 5th January, 1217, the king wrote from Nottingham to Geoffrey de Mareys, Justiciary of Ireland, commanding him to prevent the election of any Irishman in that country, as disturbance might thereby ensue;[5] and a few day later (January 17) he wrote to the same official that as the peace of Ireland had often been disturbed by election of Irishmen, the king commands that for the future no Irishman be elected or promoted in any cathedral.[6] The Irish clerics naturally resented such exclusion,

[1] "Calendar of Documents," (Sweetman) p. 465. [2] *Idem*, p. 469.
[3] *Idem*, p. 440. [4] *Vide* "Cal, of Doc.," Ireland III., pp. 9-10.
[5] "Calendar of Documents," (Sweetman) p. 112. [6] "Calendar of Documents," p. 113

and apparently submitted their complaint to the Holy See, for we find that in the year 1220 Honorius III. delared that this iniquitous decree was null and void, and that deserving Irishmen must not be rejected.[1] A letter of similar import was issued by the same Pope in the year 1224. These letters had not the desired effect, for we find that in the year 1226 Henry III. issued the Congé d'elire for Cloyne,[2] provided they elected an Englishman. From another document issued during the same year it is clear that Henry had determined that at least the Archbishops of Dublin should not be Irishmen.[3] To protect themselves it would appear as if the Bishops and Canons of Irish origin had banded themselves together to resist such aggression, and had resolved to use the same weapons as were being used by their opponents. They resolved to prevent the appointment of any Englishman to any Irish benefice, and the king appealed against them to the Pope. On 24th September, 1254, Innocent IV. issued from Lyons a brief, in which he declared that having learned that the archbishops and bishops of Ireland, together with their chapters, had ordained that no Englishman should be received as canon in their churches, he commanded them to withdraw their ordinance within one month or else it shall be denounced as null and void. The necessity for such a document makes it clear that the plans of the king had not met with success.

But there are other indications which put this conclusion beyond doubt. In the first place it should be remembered how fluctuating was the English power in Ireland at this period, and how small the portion of territory to which they could permanently lay claim ; and that it was only by virtue of their political supremacy that the kings could claim a voice in the appointment of bishops. Hence we need not be surprised that the Pope granted the King of Connaught[4] the rights of confirming bishops in his own territory, and though Henry

[1] "Calendar of Papal Registers." Vol. I., p. 97. Theiner's "Monumenta," No. 36, p. 16.

[2] "Calendar of Documents," p. 217. [3] *Idem*, p. 221.

[4] Theiner's "Monumenta," p. 1.

III. expressly reserved to himself the grant to De Burgo, after the forfeiture of Connaught (1227), the right of investiture,[1] yet we find that in places like Killala and Enaghdune the royal prerogative was not always regarded, and that even so late as 1300 the native chieftains[2] asserted their privileges with regard to episcopal appointments. What was true of Connaught was true of many of the diocese in the province of Armagh as pointed out above. This will explain the otherwise inexplicable self-denying ordinance issued by Henry in 1227,[3] authorising the justiciary to grant free powers to the proper parties to elect freely to all vacant Sees except these of Kildare, Ossory, Leighlin, Ferns, Meath, Emly, Limerick, Killaloe, Cork, Waterford, and Lismore, in regard to which the king still retained the power to grant licence to elect, and to give the royal assent to those elected. Besides, a glance at the list of bishops in the different Sees in Ireland during this period will suffice to show that outside of Dublin, Ferns, Kildare, Leighlin, Meath, Ossory, Waterford, and Lismore, which was generally occupied by Englishmen, it was only the rare exception to find any but Irishmen appointed in the remaining portions of Ireland.

The next factor in the election of Irish bishops to be decided is, who constituted the electoral body? We have seen that in the early centuries both clergy and laity were represented at the election, but since the princes and nobles had usurped the place of the popular lay element, and since these were excluded from direct participation in the election in the eleventh century, the clergy of the diocese, regular as well as secular, constituted the electoral college. Gradually, even amongst the clergy, the numbers entitled to vote were restricted. The regulars were cut out from effective interference, the chapters or canons began to arrogate to themselves a determining influence, till at las during the thirteenth century, especially after the publication of the decretals of Gregory IX. the chapters or canons were recognised as the only legal electoral body.

[1] "Calendar of Documents," Ireland I., p. 229. [2] "Journal of Archæological Society" (Dec. 1906). [3] "Calendar of Documents," Ireland, I., p. 229.
[4] *Vide*, "Die Enstehung des Ausschliesslichen Wahlrects der Domkapitel," George von Below: Leipzig, 1883.

In Ireland, too, the clergy and laity took part in the election of bishops until the twelfth century, when, owing to the same causes as operated on the Continent, and for the preservation of canonical freedom, the election was confined solely to the clergy. Even amongst the clergy the position of the monk and the secular priest became more clearly defined. Many of the so-called monastic houses which had really been only the houses of the secular clergy living the common life introduced by St. Augustine, Chrodegang, Synod of Aachen, possibly owing to foreign influence, became chapters of secular canons, while in the English districts the secular canons were everywhere introduced. The result was that in most dioceses in Ireland we find chapters in existence in the thirteenth century, and it is also clear these chapters had arrogated to themselves the exclusive right of electing the bishops. In some Irish dioceses, however, it is clear that there were no chapters even so late as the papal taxation in 1291. At a meeting of the archbishops, bishops, and chapters held in that year, they pledged themselves to stand together for mutual defence, and in the case of dioceses where no chapter existed, the diocesan clergy became partners to the confederation. In the case of those dioceses where the chapters had not been introduced, as, for example, in Meath, the clergy of the diocese had the right of electing the bishop.

About the archiepiscopal Sees there was, however, some difficulty The suffragan bishops of the province claimed a voice, together with the chapter, in the election of an archbishop. This was decided against them in the case of Canterbury[2] by Innocent III. in 1205; but we find the same claim put forward in Ireland almost half a century later. Amongst other things asserted against the election of David to the Archbishopric of Cashel (1254), it was alleged that he had been elected by the chapter without consultation with the suffragan bishops, who also claimed a voice in the election, but on the appointment of a papal commission to examine the affair, the suffragans withdrew their claims and the election was declared valid.

[1] This can be seen from Papal Registers, State Papers, Ware's "Bishops,' Cotton's "Fasti Ecclesiæ Hiberniæ."
[2] "Calendar of Papal Registers," I., p. 26. [3] "Calendar of Papal Registers" I. (1254).

The electors having put forward their candidate, and the secular authorities having been duly consulted, it remained that the archbishop should confirm the choice in case of a suffragan bishop, or the Pope in case there was question of an archbishop. The king's letters confirming the elections in certain cases, and directing the archbishop to do his duty in regard to the suffragan Sees, make this clear enough. We have examples of this in case of Ossory, Cloyne, Meath, Connor, &c.[1] It is to be noted too in such a case that the king's approval must precede the confirmation of the archbishop. In 1244 the Archbishop of Dublin confirmed the election of Geoffrey to the See of Ossory before the approval of the king had been secured, and he was sharply reprimanded for having acted contrary to the customs of the kingdom, and ordered to pledge himself that this proceeding should not be used as a precedent. In some cases the archbishop refused to confirm the postulation, and on his refusal an appeal was usually made to Rome. Hence we find the Pope commanding the archbishops in certain cases to admit the person canonically elected—*e.g.*, in Ardfert (1200), where the Archbishop of Cashel refused confirmation, and the candidate personally prosecuted his case at Rome, in Enaghdune (1251), where the Archbishop of Tuam refused confirmation, and in Down (1265).[2] It is remarkable, too, that even in the absence of the archbishop, his "officialis" or Vicar-General sometimes undertook to confirm, as—*e.g.*, in Meath (1254).[3]

In all cases of disputed elections, whether it was that the lawful electors had not taken part or that the chapter was divided, the *major pars* being on one side and the "*sanior*" on the other, or that the king had refused the postulation made to him, or that the justiciary tried to force in an intruder, or that the archbishop was unwilling to grant approval —in all these cases the decision of Rome was sought and accepted.[4]

For the election of an archbishop, the approval of the Pope was deemed necessary, and this right was fully exercised, and was admitted by the king. In this case the pallium was either given to the

[1] "Calendar of Documents," Ireland (Sweetman).
[2] "Calendar of Papal Registers," pp. 10, 267, 430. [3] *Idem* p. 307 [4] *Idem.*

archbishop-elect in Rome or it was sent through some of the bishops, who were empowered to confer it and who received the oath of fealty. In cases where the bishop, owing to reason of age or health, found it necessary to resign, the resignation could not be accepted by the metropolitan. All such resignations were referred to Rome, and to be valid required the approval of the Pope. In some instances the archbishop of the province was requested by Rome to receive the resignation, in others, bishops were designated who did not belong to the same province. It is curious to note how frequently resignations of bishops in Ireland are mentioned in the papal documents. Thus, in the *Calendar of Papal Registers*, Vol. I. (1198-1306), we find bishops mentioned as resigning in Raphoe (1198) Ardfert (1235), Meath (1235), Lismore (1245), Ardfert (1251), Raphoe (1251), Ardagh (1252), Killala (1264), Ross (1265), Raphoe (1265), Cloyne (1289).

The consecration of the bishops was usually carried out by the archbishop of the province in the presence of his suffragans, and in the case of the archbishop, the consecration took place either in Rome by the Pope himself, or by some of the Cardinals, or if in Ireland by some of the provincial bishops. In some cases this rule was beginning to be somewhat relaxed even in the thirteenth century, and thus we find the privilege granted to the Bishop-elect of Lismore (1253) to be consecrated by the Bishops of Ossory and Cloyne, and to the Archbishops of Dublin and Tuam to be ordained by any English or Irish bishop, though the consecration was reserved to some of their suffragans. In connection with this authorisation to consecrate, a curious document has come down to us from the year 1259. In that year Pope Innocent IV. issued a brief, in which he orders any defect that may have occurred in the consecration of Thomas, Bishop of Lismore, to be supplied, because some people assert that the consecration was invalid, the Pope having ordered the Bishops of Ossory and Cloyne to carry out the ceremony, and the latter having designated the Bishop of Ferns to take his place, while the Bishop of Leighlin also took part.[1]

[1] *Vide* "Calendar of Papal Registers," I., p. 369.

It only remains to deal briefly with the provisions and reservations made directly by the Popes to episcopal Sees in Ireland. In continental countries, in England and Ireland, it had become customary in the twelfth and thirteenth centuries for Rome to provide for certain persons by appointing them to benefices. In many cases there was no other means of remunerating the officials whose services were required. In Ireland, though we find many of these provisions to the minor benefices during the thirteenth century, yet, on the whole, the number was small in comparison with, for example, the number of these so appointed in England. Owing to the constant disputes about episcopal elections and the consequent appeals to the Holy See, it was only to be expected that in some cases the Pope should set aside the contending parties and appoint an outsider. In 1257, for example, he set aside the choice of the Chapter of Tuam, and appointed Walter;[1] in 1263 John was approved for Raphoe, one of the two selected by the chapter having died and the other having been rejected;[2] in 1279 an outsider was appointed to Dublin; in 1286, Stephen, Bishop of Waterford, was named for Tuam, the two claimants having been rejected,[3] and in 1289 the candidate elected by the chapter resigned his claims and was appointed directly by the Pope's authority.[4] The King resented very much the papal provisions to episcopal Sees, for we find him writing to his justiciary that he had learned the Pope was going to appoint to Armagh, and that he should take steps to forestall such interference.

There are very few examples of papal reservation to episcopal benefices in Ireland during the thirteenth century. The only examples we could find in the papal documents were Emly (1286), Clonfert (1295), and Dublin (1296). But in the following centuries papal provisions and reservations play such an important part in the Irish episcopal appointments that in many cases they entirely superseded the free canonical elections.

[1] *Vide* "Calendar of Papal Registers," I., p. 345.
[2] *Vide* "Calendar of Papal Registers," I., p. 393.
[3] *Vide Idem*, p. 487. [4] *Vide Idem*, p. 498.

CHAPTER V.

THE DIOCESE AND THE BISHOP OF LIMERICK.[1]

THOUGH St. Munchin has been always regarded as the first Bishop of Limerick, yet nothing certain is known of the Diocese or of the Bishops till the beginning of the twelfth century. This is not to be wondered at, if we remember that owing to the peculiar organisation of the Irish Church, introduced early in the sixth century, whereby, influenced by the dominant spirit of the "Vita Communis," the monastery more or less usurped the functions of the Bishop[2], the history of most of the Irish Dioceses and of the Irish Bishops is in hopeless confusion till the new division of Bishoprics was made in the twelfth century.

But there is a special reason why there should be difficulty about the See of Limerick. Like Dublin and Waterford, Limerick fell early into the hands of the Norsemen, and became one of their chief strongholds.[3] They first settled down in the neighbourhood of the present city of Limerick in the year 831, and built a stronghold, 845. For many years a Norse King ruled in

[1] For Bishops of Limerick, *vide*, Ware-Harris, "Bishops of Ireland," pp. 501-517. "Fasti Ecclesiae Hiberniae," by Henry Cotton: Dublin, 1851; vol. I. (Munster, (372-431); Brady's "Episcopal Succession": Rome, 1876; Gam's "Series Episcoporum," Ratisbon, 1873; Eubel, "Hierarchia Catholica medii aevii," Vol. I., Monast., 1898, p. 378 et sqq.; Lenehan's "History of Limerick," Chap. XLV. Begley, "Diocese of Limerick," 1906.

[2] The same system existed in the parts of England evangelised by Irish monks; *vide*, Bede's "Historia," III., c. 4: "Habere autem solet ipsa insula rectorem semper abbatem presbyterum cujus juri et omnis provincia, et ipsi etiam episcopi, ordine inusitato, debeant esse subjecti, iuxta exemplum primi doctoris illius, qui non episcopus, sed presbyter, exstitit, et monachus."

As a result of this dependence upon the monasteries, it is impossible to construct a correct list of the Bishops in Irish Sees from the fifth to the twelfth century,

[3] For Norsemen in Ireland, *vide* "Wars of the Gael and the Gall;" Todd, "Account of Danes and Norwegians in England and Ireland," Worsaae, 1852; Halliday's "Scandinavian Kingdom in Ireland," "The Annals of Ireland," O'Donovan: Dublin, 1851; "Annals of Ulster," four vols., M'Carthy-Hennessy; "Norsemen of Limerick" (Lee), R.S.A.I., 1889, XIX., p. 227; Bugge, Alexander, "Die Danen in Limerick," 1904; Bugge, Alexander, "Contributions to the History of Norsemen in Ireland;" Videnskabsselskabets Skrifter, II. Historisk filosofisk Klasse, 1900: No. 4 and 5.

Limerick, and from his territory there, frequently went forth to attack the Irish Chieftains, and to plunder and destroy the Monasteries. In the year 968 Mahon O'Brien attacked Ivar, King of Limerick, and his allies at Sulcoit (Sologhead in Tipperary), and inflicted upon them a complete defeat. The city of Limerick was taken, and Ivar, with the remainder of his forces, fled to the Island of Inniscathy, in the Shannon.[1] On the murder of King Mahon, his brother Brian became King. The foreigners were attacked in Inniscathy (977), and Ivar their King, with two of his sons, was killed, and the remnants of the Norsemen submitted to King Brian. From this time Limerick was a stronghold of the O'Briens, though Norse influence in the city still continued powerful, even after the English Invasion.[2]

Defeated in the South and in Dublin the Norsemen gradually abandoned Paganism and adopted Christianity. Hence, we soon find the three great Norse or Danish cities in Ireland—Dublin,[3] Waterford,[4] Limerick as Christian Dioceses presided over by a Bishop. The first Bishop of Limerick of whom we have any mention is Gilla (Espoc),[5] as he is called by Irish writers, or Gillbertus as he signs himself in his letters to Anselm of Canterbury, or Gislebertus as he is called by some English historians.[6]

Very little is known for certain of the history of Gillbert. It is

[1] South-west of Kilrush. Famous for the Monastery of St. Senan. The prelates are sometimes called bishops, sometimes abbots. Aid O'Beachain, Bishop of Inniscathy, died 1188. After his death the See was united to Limerick, though long after a Bishop of Inniscathy existed.

[2] This is evident from many documents contained in the MS., especially XXIII.

[3] The first Bishop of Dublin was Donat, who built the Cathedral of Holy Trinity, 1038. He was assisted by Sitric; *vide* Ware, p. 300, 306; D'Alton's "History of Archbishops of Dublin;" "Fasti Ecclesiae Hiberniæ." Cotton (Dublin).

[4] Malchus was first Bishop of Waterford (1096-1110). By him the Cathedral was built. For his election, *vide* Ussher's "Sylloge": Dublin, 1632: pp. 92-93; Eadmer's "Hist. Nov.," p. 36. "Vita Malach," chap. IV.

[5] Keating's "History of Ireland," lib. 2.

[6] For Gillbert of Limerick, *vide* Ware-Harris, "Bishops of Ireland," p. 504; Ussher's "Sylloge," 1632 (pp. 77-89); St. Bernard's "Vita Malachiae apud" Migne's "L. Patrology" Tom. 182; Pitt's "Relationum Historicarum de Rebus Anglicis," tomus primus, Paris, 1619.

not certain whether he was of Norse or Irish extraction. Nor does there appear to be any grounds for supposing that he was connected with the Monastery of Bangor in Ireland, or Abbot of that institution, as has been stated.[1] In fact, from his writings, one might infer that he was never a monk.[2] That he had travelled abroad before his consecration as bishop is evident from his letter to Anselm where he speaks of their having become acquainted at Rouen.[3] It seems more probable that he was consecrated bishop in Ireland; at any rate it is certain that, unlike some of his successors, he was not consecrated by the Archbishop of Canterbury.[4] We find him Bishop of Limerick about the year 1106 or 1107; but there is no evidence about the date of his appointment. He wrote a letter congratulating Anselm[5] on his victory in his struggle for the liberty of the Church, and was, in turn, encouraged by Anselm to correct the abusee in the Irish Church.[6] Probably owing to the influence of Anselm he was appointed Papal Legate in Ireland,[7] especially after he had shown by his endeavours to introduce the Roman customs in their entirety into Ireland, that he was prepared to follow Anselm's counsels. He could hardly have been appointed Legate long before 1109 or 1110.

[1] *Vide* Lannigan's "Ecc. History of Ireland," Dublin, 1829, vol. IV., p. 25. Bangor was, apparently, in ruins then, and was only re-established in 1125 by Malachy. *vide* "Vita Mal." by St. Bernard, ut supra, chap. VI.

[2] He writes: "Quoniam non est monachorum baptizare, communicare, aut aliquod Ecclesiasticum laicis ministrare; nisi forte cogente necessitate, imperanti episcopo obediant. Quorum propositum est soli Deo, relictis saecularibus, in oratione vacare."—Ussher's "Sylloge," p. 80. At a time when Monasticism was strong in Ireland, this is hardly what one might expect from Gillbert had he been himself a monk.

[3] *Vide* Ussher's "Sylloge," p. 88; Migne's "Lat Pat.", 159; "Anselmi Ep.," lib. IV., ep. 86; lib. III., ep. 43.

[4] Anselm, in reply to his letter, says: "Nunc cognosco vos ad Episcopatus dignitatem gratia Dei profecisse."

[5] Ussher dates his letter to Anselm at 1094. But it could not have been so early, as Anselm had not then won a victory over the Norman invaders of ecclesiastical rights. It could not be earlier than 1100 or 1106. Ware says he was Bishop 1110, p. 504.

[6] Ussher's "Sylloge," p. 89: "Satagite ergo sollicte (sicut scriptum est, Qui praest in sollicitudine) in illa gente, quantum in vobis est, corrigere et extirpare et bonos mores plantare et seminare," Ep. Anselmi.

[7] *Vide* "Vita Malach," chap. X. "Alter (Gillebertus) quem aiunt prima functum legatione Apostolicae Sedis per totam Hiberniam."

As Papal Legate he set himself to break down the peculiar character of the Irish Church,[1] and to establish firmly the strict diocesan division. He summoned a Synod at Rathbreasil,[2] over which he presided. It was determined that exclusive of Dublin, which was regarded as under the jurisdiction of Canterbu r Ireland should be divided into twenty-four dioceses of nearly equal size, twelve in the northern half[4] under the Archbishop of Armagh, and twelve in the southern half[5] under the Archbishop of Cashel.[6] In the Synod of Rathbreasil the boundaries of the diocese of Limerick are clearly defined.[7] Most of the names of the places can be identified, and it would seem as if the eastern, southern, and western (to the Shannon) boundaries corresponded generally to the present dividing lines between Limerick, Cashel and Ardfert, but in the Clare portion of the diocese Limerick has since surrendered much to Killaloe. The old See of Inniscathy[8] was suppressed at the Synod of Rathbreasil, but we find

[1] After the death of St. Patrick, and about the beginning of the sixth century, the Irish Church became to a certain extent, a monastic Church, and the diocesan division was more or less lost sight of; *vide*, complaints of Lanfranc about multiplication of Bishops in Ireland, Ussher's "Sylloge," pp. 69, 72; Anselm on same question, loc. cit., pp. 93-96; St. Bernard, "Vita Malach"; Migne, P.L. 182. Todd's "St. Patrick, Apostle of Ireland": Dublin, 1864; Introductory Chap., pp. 1-88.

[2] Keating, citing from lost Book of Clonenagh, is authority for decrees of this Synod.

[3] *Vide* Chapter VI., on the subjection of Irish Bishops to Archbishop of Canterbury as Metropolitan.

[4] Clogher, Ardstraw, Derry, Connor, Down, Tuam, Clonfert, Cong, Killala, Ardcarn, Duleek, and Clonard.

[5] Lismore or Waterford, Cork, Rathmaighe, Deisgert (Ardfert), Limerick, Killaloe, Emly, Kilkenny, Leighlin, Kildare, Glendaloch, Ferns.

[6] The title of Archbishop had been already formally assigned to Bishop of Cashel at Synod of Fiad MacAenghussa in year 1111,

[7] Keating states that boundaries of Limerick were from Maelcarn (River) west to Ath coin Iodain (Luddenbeg) to Loch Gaer, to Lathach Mor and Aine; southward taking in Ardpadraig, Bealach Feabhrat, and Tullach Lias, west to Feil and Tarbert, including Cuinchi (Quinn) in Thomond, and the Crosses on Sliabh-Oighedh an Righ (Glennagross) to Dubh-amhain (Blackwater, in Clare). The boundaries of Limerick remain, to a great extent, the same to the present day, except that Killaloe took possession of most of the parishes in Clare, except Killely, Kilrush, and Killmurrilly, while Tullylease was assigned to Cork in thirteenth century. For disputes over Donathmor, No. XLI., XLIX. The Bishop of Killaloe abandoned his claim.

[8] Scattery Island was united to Limerick about 1188. With regard to this portion *vide* note infra. For Diocese of Limerick, *vide* Westropp, "Ancient Churches of Limerick," p. 329-330.

a Bishop there so late as 1188 A.D., about which time it was absorbed into Limerick, though Bishops of Inniscathy are mentioned much later.

About the remainder of Gillbert's life we know very little except that he was present at Westminster for the consecration of the Bishop of Menevia (1115),[1] that in the year 1132 he was one of those who visited St. Malachy at the Monastery of Ibrach,[2] and forced him to accept the Archbishopric of Armagh, that about 1139[3] he resigned his office of Apostolic Legate, and that his death is recorded under the year 1145 A.D.[4]

Though the blessing of God and of the Fathers of the Council were invoked upon those who would sustain these ordinances, and their curse on those who would dare to infringe them, it is clear that the regulations of the Synod upon the diocesan divisions were not fully observed, for we find at the next great Irish Synod, Kells (1152)[5] representatives were present from Dioceses not mentioned at Rathbreasil,[6] and a new diocesan division of Ireland was drawn up.[7]

The other Bishops of Limerick during the twelfth century are Patrick, Harold, Torgesius, Brictius, and Donatus O'Brien, the four former of whom seem to have been Norsemen. Patrick, it should be

[1] Eadmeri Historia, pp. 235-236. Gislebertus Lumniensis in Hibernia. He is referred to as a suffragan of Canterbury.

[2] Bernard's Vita Mal. apud Migne's Lat. Patrology 182, chap. 10. Lannigan, Vol. IV., 93.

[3] The resignation and the appointment of Malachy as his successor mentioned by St. Bernard, chap. XVI.

[4] "Chronicon Scotorum," p. 343.

[5] The authority on this Council is again the history by Keating in which is cited the now lost book of Clonenagh. The Council was held in connection with the petition of Malachy, the Archbishop of Armagh, and the Synod of Holmpatrick (1148) for palliums for the Archbishops of Armagh and Cashel. Cardinal Paparo was present, and bestowed the palliums on Armagh, Cashel, and also on Dublin and Tuam.

[6] *e.g.*, Leithglinn, Cluaen-mic-nois, Lueghori, while on the other hand no mention is made of many of the Sees established at the Synod of Rathbreasil.

[7] The Archbishop of Armagh was to preside over Connor, Down, Lugh-Magh (Louth or Clogher) Ardagh, Raphoe, Rathlurg (united to Derry) Duleek (Meath) Derry. The Archbishop of Cashel over Limerick, Inniscathy, Kilfenora, Emly, Roscrea (Killaloe) Portlorgy (Waterford) Lismore, Cork, Ross, Ardfert; the Archbishop of Dublin over Glendaloch, Ferns, Ossory, Leighlen and Kildare; the Archbishop of Tuam over Mayo, Killala, Roscommon, Clonfert, Achonry, Clonmacnois, Kilmacduagh.

remarked, was elected by the Norsemen and of Limerick, and was sent by them for consecration to the Archbishop of Canterbury in defiance of the decrees of the Synod of Rathbreasil; and while there made his profession of canonical obedience to the Archbishop of Canterbury and his successors.[1] Torgesius is mentioned among the Bishops who attended the Synod of Kells, 1152 A.D.,[2] and his name clearly shows that he was Norse. Brictius attended the third Council of Lateran 1179.[3]

Brictius is the first Bishop of Limerick of whom we have any mention in the Black Book. Donald O'Brien, King of Limerick, granted to him and his clergy of St. Mary's Cathedral the lands of Imungram and Ivannach, and this charter is the earliest document contained in the MS.[4]

Donatus O'Brien[5] was the next Bishop of Limerick. He was, as his name implies, an Irishman, and of the family who then ruled in Limerick. His name occurs frequently in the Black Book. We know from a letter of King John that Donatus had been employed in the royal service, and had proved himself a devoted friend of the King; and in return the King notifies his justiciary and other officials in Ireland that he had taken Donatus, his Church of St. Mary's, Limerick, his lands, his manors, his possessions, his tenants under his protection, and he prohibits them from building a fortress of any kind on the Bishop's lands till he (John) should visit Ireland.[6]

The reign of Donatus O'Brien was very important in the history of the Diocese of Limerick, because it was he who founded the Chapter of St. Mary's Cathedral, Limerick. With the consent of his clergy, and for the due splendour of the religious service in the Cathedral, he

[1] The Synod of Rathbreasil had placed Limerick under the Archbishop of Cashel. *Vide* Ware's Bishops, pp. 540-41.

[2] Apud Keating from Book of Clonenagh.

[3] Ware's Bishops, p. 541. Sweetman's Calendar, p. 9. His expenses allowed by Henry II.

[4] No. XXXII.

[5] *Vide* Ware Harris, p. 505, died 1207, *Vide* Eubel, p. 318.

[6] No. XXXIX.

instituted, according to English fashion, a Chapter of Secular Canons. He fixed the prebends for the support of the Canons, and appointed the individual members.[1]

The next Bishop of Limerick appears to have been Geoffrey (Galfridus) or Godfredus (Gams). In 1207 King John, through Myler Fitzhenry, strongly recommended Geoffrey,[2] Rector of Dungarvan, to the clergy of Limerick. Nothing is known of this prelate, but the note referred to in Ware-Harris that Geoffrey was bishop in 1218 is certainly wrong,[3] as in 1215[4] Edmund was undoubtedly Bishop.

Edmund was the successor of Geoffrey, but we cannot determine for certain when he was appointed. We know from a grant of ten pounds yearly to be paid out of the Irish Exchequer that he was bishop in the year 1215. Instead of this grant, the King ordered his justiciary to assign a certain portion of land.[5] The justiciary assigned him the lands of O'Mayl in possession of the citizens of Limerick, who yielded up their claims to the Bishop, as is seen in another document[6] given in another place.[7] Edmund was Bishop of Limerick and died about 1222, but except these grants of land made to him by order of King John, we have no reference to him in the Black Book.

Hubert[8] (1223-1250) is frequently mentioned in the documents of the Black Book. He was involved practically during his whole career in disputes with the Holy See. At first there must have been no com-

[1] CXLII.

[2] Ware's Bishops, p. 505. Cotton's Fasti (Munster), p. 377. Ecc. Hib., Cal. Doc. Ireland—No. 364, Geoffrey.

[3] A Bishop of Limerick was present at 4th Lateran Council, 1215 (Journal des Savants, Oct., 1905), but unfortunately the names are not given.

[4] *Vide* Sweetman's Calendar, p. 92. Grant of King to Edmund. No. 589. From the lawsuit about the mills, etc., Limerick, we may infer that Edmund had been then bishop for some time.

[5] MS., p. 45. No. LXXX (18th year of John's reign, 1216.)

[6] No. CXXV. This document is interesting on account of the names of the citizens of Limerick.

[7] This is an example of how documents intimately connected are scattered up and down through the MS. without any attempt at grouping.

[8] Eubel, p. 318; Ware-Harris, p. 506. "Cal. of Doc.," Ireland, No. 1090.

plaints made regarding his election, as we might infer from the brief (1226) addressed to the Archbishop of Cashel and the Bishops of Limerick and Cloyne.[1] But shortly after unfavourable reports reached Rome. Gregory IX.[2] addressed (1227) a letter to certain ecclesiastics in Ireland in which he states that complaints had reached his predecessor, Honorius III., about the Bishop of Limerick, that he was born of an unlawful marriage; that he obtained his appointment as bishop by simony; that he had not the required knowledge; that he had been guilty of simony in appointing to benefices; that he refused obedience and reverence to the Archbishop of Cashel; that he despised the appeals made against him to the Holy See and to the Archbishop of Cashel. Pope Gregory commands these ecclesiastics to inquire into these charges, and to forward a report to Rome. From a Brief of Gregory IX. to Otto[3], Cardinal Legate in England, it would appear that, owing to Hubert's refusal, the ecclesiastics charged by him in 1227 were unable to carry out the investigation. But from documents in the Black Book, it would appear that before 1237 the Bishop had been excommunicated by the Holy See and reconciled again. That he was in peace with Rome in 1235 is clear from the Brief

[1] Brief addressed to Henry III. by Honorius III., to ask King to assist the Archbishop of Cashel and Bishops of Limerick and Cloyne in their inquiries about Robert Travers, intruded into Diocese of Killaloe; *vide* "Vetera Monumenta Hibernorum et Scotorum," Augustinus Theiner: Rome, 1864; p. 25, No. 61.

[2] Theiner, *Loc. Cit.*, p. 27, No. 64. Letter addressed by Gregory IX., May, 1227, to Bishops of Clonfert and Enachdune, and Abbot of Parva Cellacu Enachdune: "De ipso (Episcopo Limericensi) inter cetera dicitur, quod de illegetimo est matrimonio procreatus, in quo, si verum est attendere debuisset, quod non dant radices altas spuria vitullamina, nec stabile sibi collocant firmamentum. Preterea non per ostium, sed aliunde, per symoniacam videlicet pravitatem intravit, sicut escam panis plebem domini devorans ut conscendisse pestilentie cathedram merito videatur. Sic quoque munere caret scientie ut dici ei possit et debeat, tu scientiam repulisti, et ego, ne fungaris sacerdotio te repellam. Ad hec in beneficiis ecclesiasticis, que offerenda sunt gratis, quoniam in promotione sua, spiritus sancti gratiam, que vendi non potest, sub pretio redigere didicit, non veretur multotiens comittere symoniam, metropolitano suo archiepiscopo Cassellensi obedientiam et reverentiam, quas ipse a suis subditis exigit, non impendit . . . sed et oblivioni tradidisse videtur privilegium sedis apostolice . . . appellationibus enim ad metropolitanum vel ad sedem apostolicam interpositis deferre contempnit," etc.

[3] Theiner, *Loc. Cit.*, 5th March, 1238, No. 95, p. 37.

appointing the Bishop of Limerick and of Emly to accept the resignation of the Bishop of Ardfert.[1] In 1238 Otto[2] was commanded to proceed to the trial of Hubert. We do not know for certain the result, but we can infer that Hubert was to resign, and the Bishop of Killaloe was to accept the resignation. But Hubert refused to resign, alleging some special favour granted to him by the Holy See, the proof which he refused to produce. In 1247 Innocent IV. wrote to the Bishop, Dean, and Archdeacon of Kildare to force Hubert, under threat of ecclesiastical censure, to resign unless he can prove this special privilege which he claims.[3] We do not know the result of this investigation, but we know that Hubert died as Bishop of Limerick in 1250.[4]

He was also involved in dispute with Geoffrey le Mareys, Justiciary of Ireland. It appears that Gerald made a raid upon the diocese of Limerick, and carried off property, injured the tenants and clerics of the Bishop, and besieged the Bishop himself in the Church of Sengol.[5] The justiciary was promptly excommunicated by Hubert, who also applied to Pope Gregory to confirm the sentence of excommunication.[6] Pope Gregory appointed the Bishop of Lismore to examine the case, and after hearing the evidence the latter condemned Geoffrey le Mareys to pay the Bishop a sum of 1500 marks, and confirmed the sentence of

[1] Theiner, *Loc. Cit.*, No. 76, p. 31.

[2] Theiner, *Loc. Cit.*, No. 95, p. 37 (1238): "Cum enim olim insinuato felicis recordationis Honorius predecessori nostro, ac nobis postmodum quod idem Episcopus inventus est in pluribus minus habens, ac fuerat de illegitimo matrimonio procreatus, quodque ingressum habuerat non per ostium, sed aliunde, per simoniacam videlicet pravitatem, ac scientie dono carens, sicut escam panis plebem domini devorat . . . atque gratiam sancti spiritus, que vendi non potest, non venialiter venalem exponens in conferendis ecclesiis et beneficiis ecclesiasticis non veretur committere pluries symoniam," etc.

[3] Theiner, *Loc. Cit.*, No. 120, p. 46; fourth year of Innocent IV.

[4] As Bishop of Limerick, Eubel, Sept. 14, 1250; Fasti, "Ecc. Hib." vol. I, 378. Ware says he had been selected by the Bishops of Ireland to go to Rome to protest against the King holding the temporalities during the vacancy of a See.—"Bishops of Ireland," p. 506. [5] *Vide* No. XXIV. [6] Brief of Gregory IX. No. CLVII. (1235).

excommunication until due restitution should have been made.[1] But Geoffrey appealed to the Holy See on the grounds that certain formalities had not been observed, and Gregory IX. (1237)[2] commanded the Bishop of Cloyne to try the case. The latter decided that the sentence was just, republished the excommunication against Geoffrey, and besought the faithful to regard him as excommunicated till he should consent to make due satisfaction.[3]

Hubert, though he had himself been Prior of St. Edmund's[4] at Athissel, was involved in a long dispute with the monks of that Monastery about the presentation to certain benefices. The story of the dispute with the Monastery of Athissel occupies a good deal of space in the Black Book, and in itself, well illustrates the careless way in which the compiler did his work.[5]

But perhaps the most remarkable side of Hubert's episcopate is the grants made to his Chapter of St. Mary's, of lands and revenues, grants made to the Chapter as a whole, and to individual members of it.[6] These occupy a great space in the Black Book.

Robert (1251-1272)[7] succeeded as Bishop. Nothing remarkable is known about him. A great many documents in the Black Book refer

[1] *Vide* No. CLVII. "Episcopus per testes omni exceptioni maiores debita iuris solempnitate adhibita se et ecclesiam suam suosque ad valenciam mille et quingentarum marcarum per eundem G. de Marisco dampnificatos sufficienter probavit, et quod nobis plene constitit sentenciam excommunicacionis in eundem G. a predicto episcopo propter premissa rite latam, ipsum G. ad solucionem predicte summe pecunie eidem episcopo faciendam condempnamus et predictam sentenciam auctoritate qua fungimur in hac parte usque ad satisfaccionem condignam confirmamus." *Vide* Nos. XXVI., and CLVII., CLXI.

[2] No. CLVIII.: "Datum Viterbii Kl. Sept. pontif. nostri anno undecimo."

[3] "Mandantes quatenus predictum Galfridum de Marisco publice pro excommunicato habeatis, et arcius eum citari faciatis quousque memorato Lymericensis episcopo plenarie satisficiet de hiis super quibus excommunicacionis vinculo per eundem fuerat inodatus," No. CLVIII.

[4] Ware, "Bishops of Ireland," Limerick, p. 506; Fasti, "Ecc. Hib.," vol. I. (Munster) p. 378.

[5] The documents are found scattered about without any arrangement, Nos. CII.-CXV., CXVII., CXXXIV.

[6] *e.g.* MS., Nos. LII., LVII., LVIII., LXI., LXIV., LXXI., etc.

[7] *Vide* Eubel, p. 318; Ware, *Loc. Cit.*, p. 506; "Cal. of Doc., Ireland," vol. I., No. 3125.

to him, but they generally regard lawsuits or grants made to some of his Canons. On the death of Robert, the Chapter met, and before proceeding to an election drew up in regular form the "*Libertates*" which had been conceded to the Chapter of Limerick by Bishop Hubert, and pledged themselves that whoever was elected Bishop should confirm these Liberties. Gerald (1272-1301)[1] was elected Bishop. He confirmed, as he had sworn to do, the Liberties[2] that had been drawn up by the Chapter previously to his election, and also settled a dispute between the Dean and Archdeacon of his Chapter as to which of them should have the right of visiting the churches belonging to the common fund of the Canons.[3] Many of the documents in the Black Book came from the episcopate of Gerald.

Robert of Dundonald (1302-1311)[4] had been a member of the Chapter of Limerick before his election, as we can see from the Black Book. On the death of Gerald and before the election of Robert, a dispute broke out between the Chapter of Limerick and the Archbishop of Cashel, as to who should exercise jurisdiction in the diocese during the vacancy.[5] The Chapter claimed it, relying on the recent legislation of Boniface VIII.; the Archbishop based his claims on the practice in such cases from time immemorial. They agreed to allow the Archbishop to exercise jurisdiction for this particular case, and without prejudice to either party, and in the meantime messengers should be despatched to Rome to secure an authentic interpretation of the new decrees.[6]

[1] *Vide* Eubel, p. 318; Ware, *Loc. Cit.*, p. 506; "Cal. of Doc., Ireland II.," No. 928.

[2] *Vide* No. LXXIX.: "Statuta antiqua Ecclesie et Capituli Lymericensis. Universis Christi fidelibus ad quos presentes littere pervenerint Geraldus dei gratia Episcopus Lymericensis salutem in domino sempiternam. Ad universitatis vestre noticiam volumus pervenire quod nos libertates per felicis recordacionis Hubertum pariter et Robertum predecessores nostros ecclesie Lymericensi concessas volentes ampliare ipsas cum quibusdam aliis per nos ecclesie supradicte et capitulo de novo concessis in scriptis fecimus redigere."—LXXIX. For discussion of contents, *vide* Chap. VIII.

[3] No. LXXX. Statuta nova ejusdem ecclesie.

[4] *Vide* Eubel, p. 318; Ware, 506; Fasti, "Ecc. Hib.," vol. I., 378-379.

[5] No. LXXXIV.: "Concordia facta inter Cassellensem Archiepiscopum et pitulum Lym. super iurisdictione eiusdem sedis," etc.
Vide LXXXIV. For full discussion, *vide* infra.

On the death of Robert, Eustace (1311-1336),[1] Dean of the Chapter, was elected Bishop. Before his election the Canons discussed the non-observance of the statutes of the Church of Limerick, especially in regard to the Bishop's claims of procuration. They pledged themselves[2] that whoever was elected Bishop should receive procuration as it was fixed in the time of Gerald, that no new member should be appointed till those expecting benefices had been provided for, that in the collation of dignities the old statutes should be carefully observed, and that in his visitations the Bishop might visit the church of the Dean, but should not make a visitation of the churches of the Canons unless negligence had been proved. There are very few documents in the Black Book from the time of Bishop Eustace.

The other Bishops of Limerick were[3] Maurice (1337-1353), of whose reign a few documents are preserved in the Black Book;[4] Stephen (1354-1359), Stephen (1360-1369)[5] Peter (1369-1400), and Cornelius O'Dea (1400-1426).

[1] *Vide* Eubel, *Loc. Cit.*; Ware, p. 507; Fasti, "Ecc. Hib.," vol. I., 379. He had been Dean of Limerick, *vide* No. CLXVI. Universis has litteras visuris vel audituris Eusthacius decanus Cathedralis Ecclesie Lymericensis eiusdem loci capitulum salutem in domino sempiternam.

[2] This is the second Election-Agreement (Wahl-Capitulation) to be found in the Black Book: "Licet statuta nostre Lymericensis Ecclesie pro ipsius utilitate non minimo auctoritate sanctorum patrum quondam Lymericensium Episcoporum et tocius capituli edita iuramentis et eorundem tactis sacrosanctis evangeliis fuissent vallata succedentibus temporibus non absque gravi animarum periculo et ecclesie nostre dampno non modico ab eorum statutorum forma effectuali consulte exstitit recessus." *Vide* Chap. VII.

[3] *Vide* Eubel, Ware; Fasti, "Ecc. Hiberniae."

[4] *Vide* Nos. CLXXII., CLXXIII. Letters from John (1332-1345), Archbishop of Cashel, about his rights of Visitation in the Diocese of Limerick.

[5] This Bishop Stephen is mentioned in two documents, CLXXV., CLXXVI. The first, dated in the thirty-sixth year of the reign of Edward III. (1362) is the most recently dated document in the older part of the MS. It regards the leasing of ecclesiastical land for twenty years. The other is dated 1358, and regards the trial of certain clerics, who were accused of certain crimes against the King's authority.

[6] It is to be noted that in the first of these (1362) we first find the Bishop of Limerick referred to as *Episcopus dei et apostolice sedis gratia.* The usual formula is *gratia dei* or *miseracione divina.* We find, however, the other formula, *Dei et apostolice sedis gratia*, used twice, Nos. CLXXII. and CLXXIII., referring to the Archbishop of Cashel (1342).

CHAPTER VI.

THE WRITINGS OF GILLBERT, BISHOP OF LIMERICK.

BESIDES his letter to Anselm, Archbishop of Canterbury, Gillbert wrote two tracts, one entitled "De Usu Ecclesiastico," the other, "De Statu Ecclesiae.[1]" The first of these was directed against the many various Liturgical offices then in use in the Irish Church, in place of which the writer wished to substitute the Roman Liturgy, a full description of which he appended.[2] This work has, unfortunately, been lost.

The second tract, "De Statu Ecclesiae," which was merely an introduction to the other, was probably called forth by Anselm's letter. In this letter Anselm had exhorted him to endeavour to extirpate the abuses existing in the Irish Church, and to win over the Bishops and Kings to assist in the good work.[3] It was probably written before Gillbert became Apostolic Legate in Ireland.

The aim of the work is to demonstrate the unity of the Church, namely, to show that the people are subject to the clerics, that amongst the clerics, the deacon, sub-deacon, acolyte, exorcist, lector and porter are subject to the priest, that the priest and the abbot and his monastery are subject to the bishop, the bishop subject to the archbishop, the archbishop to the Primate, and the Primate to the Roman Pontiff. The rights and duties of these offices are also briefly explained, and in the course of this explanation many of the abuses are touched upon.

Thus, in Ireland the peculiar position of the monastery was beginning to attract attention. Gillbert lays it down expressly that the Abbot

[1] *Vide* Ussher's Sylloge, pp. 77, sqq. Migne, P.L., Vol. 159, 999, sqq.

[2] Rogatu necnon et praecepto multorum ex vobis, charissimi, canonicalem consuetudinem in dicendis horis et peragendo totius Ecclesiastici Ordinis officio scribere conatus sum . . . . . ut diversi et schismatici illi ordines, quibus Hibernia pene tota delusa est uni Catholico et Romano cedant officio. Migne, P.L., *loc. cit.* Ussher's Sylloge, 77.

[3] Ussher's Sylloge "Satagite ergo sollicite (sicut scriptum est, Qui praest in solitudine) in illa gente, quantum in vobis est corrigere et extirpare et bonos mores plantare et seminare." Anselm's Letter. *Loc. Cit.*

and the Monastery are subject to the Bishop.[1] He asserts, too, that the monks have no right to baptize, to give communion, or to administer anything ecclesiastical. The object of their institution is, that having abandoned all secular things they should devote themselves to prayer.[2]

The duties of the priest, according to Gillbert, are fourteen, namely to superintend, to be obedient to the Bishop, to pray, to offer sacrifice, to preach, to teach, to baptize, to bless, to excommunicate, to reconcile to anoint, to communicate, to commend souls to God, and to bury the dead. These duties are explained at length. The means of sustenta tion upon which the clergy depend are also interesting. According to Gillbert, they are eight, namely, the parish. which he explains as meaning the people paying first fruits, offerings, tithes, the mansus, that is the house and the plough-land to which the priest was entitled, the atrium, the cemetery, the temple, the altar, the chalice with paten, the body and blood.[3]

Anselm, too, had complained of the multiplication of Bishops in Ireland. Gillbert lays it down that the Bishop should rule over at *least ten Churches*, and at most *one thousand.*[4] His duties are seven-fold, namely, to confirm, to bless, to absolve, to hold synods, to dedicate, to consecrate, and to ordain. The method of consecrating Bishops by only one Bishop had been referred to by Anselm.[5] Gillbert lays it down that the bishop should be consecrated by the archbishop, assisted by the bishops under his jurisdiction.[6] The archbishop should

[1] Ussher, p. 80. Has itaque duas Pyramides (Parochiam scilicet et Coenobium subjectas possidet Pontificalis Ecclesia.

[2] *Idem.*

[3] "Octo sunt ergo quibus sustentatur sacerdos, parochia, mansus, atrium, coemiterium, templum, altare, calix cum patena, corpus cum sanguine . . . . . Parochiam appello populum primitias, oblationes, et decimas persolventem. Mansum dico terram aratri, quam ad minus debet habere Sacerdos, atrium cum domibus clausuram," p. 85.

[4] Obtinet enim ut minimum decem Ecclesias, ut plurimum vero mille. Ussher's Sylloge, p. 80.

[5] Sylloge, p. 94. Episcopi quoque inordinate sicut audimus, aut a solis episcopis aut in locis ubi ordinari non debent consecrantur.

[6] Insuper pallio honoris (Archiepiscopus) induitur; quia ipse adjutus tamen ab omnibus Diocesis suae Episcopis ordinat episcopum. Ussher, p. 86.

have under him at least three bishops, and at most twenty, and should himself have received the pallium. This was meant to strengthen the archiepiscopal jurisdiction, which, owing mainly to want of unity in the civil government, had fallen more or less into disuse, and the reference to the Pallium [1] will explain why Malachy went later to Rome to solicit the pallium for Armagh and Cashel, and why Cardinal Paparo conferred the four palliums at the Synod of Kells (1152).

The archbishop was to be subject to the Primate, and each Primate should have under him at least one Archbishop and at most six. Gillbert seems to hint that there should be two Primates in Ireland. The Primate is superior to the archbishop, in this fact, that although there be several archbishops in any country, only he who consecrates the king, and in the three great festivals crowns him, and before whom councils are held for the discovery of the truth, is Primate. [2] The Primate and archbishop should be consecrated at Rome, or if that is impossible, then the Pallium should be brought from Rome by his bishops. The Primate amongst us, he writes, corresponds to the Patriarch of the East, with this difference, that the Patriarchs, presiding over Apostolic Sees, may consecrate the archbishop, and are recognised as in some way equals of the Roman Pontiff, though both Primate and Archbishop are subject to the Pope, for only to Peter was said: Tu es Petrus, etc. [3] In the State, the Emperor corresponds with the Pope, the King with the Primate, the Duke with the Archbishop, the Count with the Bishop, the Knight with the Priest. [4]

[1] The Archbishop of Armagh had never received the Pallium; nor had any Bishop in Ireland till the year 1152, when Palliums were granted to the Archbishops of Armagh, Dublin, Cashel, and Tuam.

[2] "Eo tantum ergo praest Primas Archiepiscopo; quod cum sint in eadem regione Archiepiscopi, solus ex eis qui Regem ordinat, et in tribus sollemnitatibus coronat, et apud quem Concilia pro veritate peraguntur ipse eorum Primatum tenet," p. 87.

[3] Sed quia Patriarchae sedibus praesident Apostolicis (ut Hiersolymetanus Antiochenus, Alexandrinus) idcirco Archiepiscopos ordinant et pares quodammodo Romano ascribuntur. Soli tamen Petro dictum est; Tu es Petrus, et super hanc petram aedificabo Ecclesiam meam. Papa ergo solus universali praeminet ecclesiae, et ipse omnes ordinat et iudicat, etc., p. 87, Ussher. Migne, 159-1003.

[4] Conjungitur autem Imperator Papae, Rex Primati, Dux Archipontifici, Comes Episcopo, Miles Sacerdoti. Ussher, p. 81. Migne, *loc-cit*, 999.

From this brief sketch it will be seen that the tract of Gillbert is one of the most interesting works of the 12th century on the organisation of the Church. It is evidently the work of a man educated on the Continent; and its object was to remove the abuses and peculiar usages of the Irish Church, and to bring them into exact conformity with continental customs. All the abuses in the ecclesiastical organisation mentioned by Lanfranc, Anselm, and St. Bernard[1]—the monastic character of the Church, the multiplication of Bishoprics and of Bishops without Sees, the neglect of the Archiepiscopal jurisdiction, the want of the pallium, are touched upon in Gillbert's letter.

1 Ussher's Sylloge, pp. 69-75. *Idem*, pp. 88-100. Vita Malach, St. Bernard, Migne's P.L. (182.)

CHAPTER VII.

THE ARCHBISHOP OF CANTERBURY AND THE IRISH CHURCH.

In view of the connexion between the bishopric of Limerick and the archbishop of Canterbury, it may not be out of place to discuss briefly the claims of Canterbury to be considered the Metropolitan Church not only of England but also of Ireland. The first mention of interference by the Archbishops of Canterbury in Irish ecclesiastical affairs is found in Bede's "Ecclesiastical History," when Laurentius, the successor of St. Augustine, exhorted the Irish bishops to abandon their own peculiar system of Easter Computation, and adopt that followed in Rome, and by the rest of the Christian world.[1]

From that time until the days of Lanfranc[2] we find no further mention of communications between the Archbishop of Canterbury and the Irish bishops. The Danes and Norsemen of Dublin, Waterford, and Limerick had then been converted to Christianity, and were naturally brought into close connection with England, where their own countrymen had secured such a footing. Their opposition to the Irish race, and the demoralisation of the Irish Church at this period, made them but little willing to subject themselves to the Irish bishops, while, on the other hand, owing to their connection with England, where the Danish influence was so predominant in the beginning of the eleventh century, and to the fact that the Norman invaders were, in a certain sense, of their own race, and that their archbishop, Lanfranc, had the reputation of being one of the ablest churchmen of his day, it is easy to understand how they threw in their lot with the Church of Canterbury.

The first Danish archbishop of Dublin of whom we have any authentic record is Donatus,[3] or Dunan, but unfortunately we do not

[1] Bede's "Historia Ecclesiastica," lib. III. [2] (1070-1089).

[3] The legend to be found in the Vita Sancti Rumoldi apud Surium, 1st July, that he was Archbishop of Dublin is now entirely discredited.

find any mention of the place of his consecration. In 1074 Patrick was elected bishop of Dublin by the clergy and people, and sent by them to Lanfranc for episcopal consecration;[1] and to Lanfranc, as Primate of the Islands of Britain and Archbishop of Canterbury, he made the oath of submission.[2] Lanfranc sent him back to Dublin with letters addressed to Godred, the King of Ireland (*i.e.*, the Danish King of Dublin[3]), and to Tirdelvac, the King of Ireland (Ard-ri[4]), in which he exhorted them to remove many abuses then said to have been flourishing in their dominions. Donald, the successor of Patrick, also went to Canterbury for consecration, and professed his obedience to Lanfranc.[5] The next bishop of Dublin, Samuel, was elected by the clergy and people of Dublin, and was sent by them to Anselm to be consecrated by him, and he, too, made a profession of obedience to the archbishop of Canterbury.[6] During his pontificate he was sharply rebuked for the line of conduct which in certain cases he pursued.[7] On the death of Samuel, Gregory was elected, and sent also to Canterbury for consecration. In the letter addressed to the archbishop by the electors they tell how the bishops of Ireland, and more especially the bishop of Armagh, were unfriendly towards them, because they would not obey the said bishops, but were subject only to the jurisdiction of Canterbury.[8] Gregory was the last bishop of Dublin consecrated at Canterbury or subject to its archbishop. In 1152 Cardinal

[1] Vestrae Paternitati est cognitum quod Ecclesia Dublinensis (quae Hibernia metropolis est) suo sit viduata pastore . . . Propterea elegimus presbyterum, nomine Patricium nobis sufficientissime . . . Quem nobis quantocius petimus ordinari episcopum, quatenus, auctore Deo regulariter nobis praesse valeat et prodesse. "Sylloge," pp. 68-69.

[2] "Propterea ego Patricius ad regendam Dublinam metropolem Hiberniae electus antistes, tibi, Reverende Pater Lanfranc, Britanniarum Primas in professionis meae chartam porrigo meque tibi tuisque successoribus in omnibus quae ad Christianam religionem pertinent obtemperaturum esse promitto." *Idem*, p. 118-19.

[3] "Sylloge," pp. 69-70. [4] "Sylloge," pp. 71-72. [5] "Sylloge," p. 119.

[6] "Sylloge," p. 119: "Ego tibi et omnibus successoribus tuis Canonicam obedientiam me per omnia servaturum promitto." [7] "Sylloge," 98-99.

[8] Sciatis vos revera quod Episcopi Hiberniae maximum zelum erga nos habent, et maxime ille episcopus qui habitat Ardmachae, quia nos nolumus obedire eorum ordinationi, sed semper sub vestro dominio esse volumus. "Sylloge," p. 100.

Paparo, and Christian, bishop of Lismore, and Papal Legate, convoked the Synod of Kells, and Dublin was erected into an Archbishopric, and its Bishop received the pallium.[1] Hence, we find that the next archbishop of Dublin was consecrated in his own city by Gelasius, Primate of Armagh.[2]

Waterford, too, was a Danish city, and some time after their conversion, Malchus was elected bishop and sent to Anselm for consecration. The persons signing the petition to Anselm in favour of Malchus are Muirchtertachus, Rex Hiberniæ, Dermet, Dux, frater Regis, Domnal, Episcopus, Idunan Episcopus Midensis, Samuel, Episcopus Dublinensis, and Ferdomnachus, Episcopus Lageniensium.[3] Malchus made a profession of obedienee to Anselm, as Primate of all Britain,[4] and we find Anselm afterwards in correspondence with Malchus in reference to the conduct of Samuel, bishop of Dublin.[5] We do not know whether Melisa and Tostius, the successors of Malchus, were consecrated at Canterbury, but we know that on the appointment of Augustine (1175) Henry II. sent him into Ireland to be consecrated by his own Metropolitan, the archbishop of Cashel. This put an end forever to the ecclesiastical subjection of Waterford to the jurisdiction of Canterbury.[6]

With regard to Gillbert, the first bishop of Limerick, we do not know where he was consecrated, but it is clear that he was not consecrated at Canterbury.[7] On his death (1140) Patrick was elected, and sent to England to be consecrated by Theobald, archbishop of Canterbury,

[1] Keating, from "Book of Clonenagh." Wilkins' "Concilia M. Britt." Vol. I., p. 425.

[2] Vita S. Laurentii apud Surium and Messingham's Florilegium.

[3] Ussher's "Sylloge," pp. 92-93.

[4] *Idem.*, p. 119, No. 4. *Ego*, "Malchus Ecclesiae Waterfordiae electus et a te, Reverende pater Anselme, sanctae Cantuariensis Ecclesiae Archiepiscopus et totius Britanniae Primas, antistes consecrandus, tibi et omnibus successoribus tuis canonicam obedientiam me per omnia servaturum promitto."

[5] *Idem*, p. 98.

[6] Hovenden, 1175. "In eodem vero concilio dedit Rex Angliae magistro Augustino Hybernensi episcopatum Waterfordiae, qui tunc vacabat in Hibernia. Et misit eum in Hyberniam cum Laurentio Dubliniae archiepiscopo ad consecrandum a Donato Caselliensi archiepiscopo."

[7] From Anselm's letter to Gillbert. Ussher's "Sylloge," pp. 88-89.

to whom he made profession of canonical obedience.[1] We do not know whether his successors, Harold and Turgesius, went to Canterbury for consecration, but we may presume that after the Synod of Kells (1152) when Limerick was placed under Cashel,[2] and when the Archbishop of Cashel received the Pallium, the Bishops of Limerick no longer looked to the Archbishop of Canterbury as their ecclesiastical superior.

Besides the connection of these Dioceses with Canterbury, we find letters addressed by Lanfranc to Godred, the Danish King of Dublin, and to Turlough O'Brien, in which he exhorts them to remove the abuses said to flourish in their territories—namely, that men desert their wives and marry others; that they marry those related to them by consanguinity or affinity; that bishops are consecrated by one bishop; and that bishops confer Orders for money.[3] We find Lanfranc also in communication with Donald, bishop of Ireland, in regard to certain questions about the necessity of receiving the Eucharist and other matters which the latter had addressed to him.[4] Anselm was also in communication with Gillbert, the bishop of Limerick; and besides, he addressed a letter to the Bishops of Ireland, telling them of the struggles which he was obliged to undertake in defence of the liberty of the Church, and pointing out to them that if there were any matters which they themselves could not canonically determine they should communicate with him.[5] He wrote, also, twice to Muirchtach, the King of Ireland, exhorting him to endeavour to reform certain abuses said to exist in his territory.[6]

[1] "Sylloge," p. 129, No. 6. Ego Patricius ad regimen Ecclesiae Limericensis electus . . . tibi et omnibus successoribus tuis tibi canonice succedentibus, debitam subjectionem et canonicam obedientiam per omnia me exhibiturum fore promitto.

[2] "Keating's History," lib. II. Wilkins' "Concilia Magnae Brittaniae."

[3] "Sylloge," pp. 69-73.

[4] *Idem*, pp. 73-75. The question was about the necessity of receiving the Eucharist for salvation.

[5] *Idem*, pp. 89-91: "Si quando vero (seu in consecrationibus episcoporum, seu in ecclesiasticorum negotiorum causis, seu quibuslibet aliis rationibus) aliquid quod ad sacram religionem pertineat inter vos ortum fuerit, quod per vos canonice nequeat definiri charitatis officio id ad notitiam nostram perferri commonemus, quatenus a nobis potius concilium et solatium accipiatis quam praevaricatores mandatorum Dei in iudicium ejus incidiatis," p. 91. [6] *Idem*, 93-94.

Whence the origin of this interference by the Archbishops of Canterbury in the affairs of the Irish Church? Was Canterbury recognised as the Metropolitan of Ireland? Such a claim was, no doubt, put forward by Lanfranc. Shortly after his consecration a dispute broke out as to whether York was subject to Canterbury, and a Synod was held at Winchester in 1072.[1] Lanfranc, relying upon the authority of Bede, asserted that his predecessors had claimed jurisdiction not only over Britain but also over Ireland.[2] Besides, it is said, that the fact of Irish Bishops going to Canterbury for consecration, and making their profession of canonical obedience to its Archbishop, shows that the Irish themselves admitted the justice of such a claim.

But against this it should be observed: First, that Bede does not assert that Augustine or his successors received or exercised jurisdiction over the Irish Bishops.[3] Gregory did distinctly state that he gave Augustine jurisdiction over "Omnes Episcopos Britanniarum," but the use of the plural here does not necessarily include Ireland, for just as he had excepted the Bishops of Gaul from Augustine's jurisdiction, because there was already a regularly established hierarchy in union with Rome, so, too, he should have excepted Ireland. But, besides, the numerous briefs of other popes, Boniface V., Honorius I., Vitalianus, Sergius I., Gregory III., Leo III., to the Archbishop of Canterbury, explain more clearly the extent of their jurisdiction, namely, over the whole island of the Britains.[4]

[1] William of Malmesbury De Gestis Pontificum, p. 42, sqq., Spellman's Concilia, Tom. II., p. 3. Matthew of Paris, p. 10.

[2] Letter of Lanfranc, apud Malmesbury: "De Gestis Pontif.," p. 44. "Demonstratum est a tempore Augustini primi Dorobernensis Archiepiscopi usque ad ipsuis Bedae ultimam aetatem . . . anteressores meos super Eboracensem Ecclessiam totamque insulam quam Brittaniam vocant necnon et Hiberniam primatum gessisse curam pastoralem impendisse." *Idem* apud Haddan and Stubbs, Council and Doc., Vol. III., p. 308.

[3] Merely jurisdiction "super omnes episcopus Britanniarum," H.E., Lib. III. Bede refers to St. Augustine in other places as "archiepiscopus genti anglorum," T. 27, "archiepiscopus Brittaniarum" (II. 3) "episcopus anglorum" "episcopus Cantuariorum ecclesiae," B. T. 27.

[4] *Vide* William of Malmesbury "De Gestis Pontificum," pp. 44-61. Haddan and Stubbs. Councils and Ecc. Documents, etc., Vol. III.

Again, nowhere do we find any Archbishop of Canterbury claiming any metropolitan rights over the Irish Church. Not even Lanfranc and Anselm in their letters to Irish Bishops or Irish Kings claim any jurisdiction on account of which they could force them to remedy the abuses then existing in the Irish Church, but they merely exhort them in charity to themselves to take such measures as they may deem necessary.[1] Nor did the Irish Bishops, as such, ever acknowledge any superior jurisdiction in the Archbishops of Canterbury. It was only the Bishops of the Danish or Norse towns, Dublin, Limerick, Waterford, who placed themselves under Canterbury, and their action, as we have seen, was resented by the Irish prelates; while, finally, at the Synod of Kells (1152)[2] held to settle the diocesan division of Ireland, in presence of Cardinal Paparo, no opposition was offered on behalf of Canterbury to the granting of the palliums to the four Archbishoprics, Armagh, Dublin, Cashel and Tuam.[3]

It should be noted that about this time Canterbury was laying claim to the Primacy, not alone in England but also in Scotland and Wales. Though the claim in England was disputed by York, yet it could not be denied that the popes had already established Canterbury as the Primatial See. Lanfranc, on his appointment to Canterbury, trained as he had been on the Continent, was entirely unprepared for the abuses, real and imaginary, which he was informed existed in Scotland, Wales and Ireland. Hence, we find him in communication with Queen Margaret of Scotland,[4] and probably on his advice

[1] Lanfranc to Tirdelvacus Rex Hib., "Sylloge," 71-72. "Memores igitur divini judicii, quo de commisso vobis regno rationem reddituri estis Deo, Episcopos et religiosos quosque viros in unum convenire jubete, sacro eorum conventur praesentiam vestram cum optimatibus exhibite, has pravas consuetadines omnesque alias quae a sacris legibus improbantur a regno vestro exterminare studete." Anselm ut supra, ad Episcopos Hiberniae, p. 91. Anselm ad Muriardachum Regem Hib., p. 94 "Haec et alia quae Magnitudinis vestrae prudentia in Hibernia corrigenda cognoverit precor, obsecro, et consulo sicut ille quem valdo diligo et cujus profectum per omnia desidero."

[2] At Synod of Rathbreasil Limerick and Waterford were placed under the jurisdiction of the Archbishop of Cashel, while Dublin was not reckoned as an Irish See on account of its subjection to Canterbury.

[3] The consecration of Bishop Augustine of Waterford (1175) by Archbishop of Cashel, and of Laurence of Dublin by Gelasius (1162) put an end to the jurisdiction of Canterbury over the Irish Church. [4] Haddan and Stubbs, Vol. II., P. I., p. 155.

a Council was summoned to reform abuses in the Church of Scotland.[1] At the Council of Windsor an agreement was come to between Canterbury and York whereby the Primacy over Scotland was assigned to the latter.[2] This claim was actively prosecuted by the Archbishops of York and resisted by the Scottish Bishop till 1188, when Clement III. declared the Church of Scotland to be directly dependent on Rome.[3]

The same policy was adopted in regard to the Church of Wales. Even before the Norman Invasion there are some doubtful references to the consecration of bishops in South Wales by the Archbishop of Canterbury,[4] and York, too, is mentioned as exercising some authority over certain bishops in Wales.[5] During the reign of Anselm as Archbishop he began to interfere actively in Welsh ecclesiastical affairs,[6] and in 1107 we find that Morban, Bishop of Landaff, was consecrated at Canterbury and professed obedience to its Archbishop.[7] From this time, though the claims of Canterbury were stoutly resisted by the Bishop of St. David's, the Archbishop of Canterbury continued to exercise a predominant influence in Welsh ecclesiastical affairs till the final absorption of the Welsh Church into the English (1295).[8]

It is not strange then that at the time when Canterbury was laying claim to such powers over Scotland and Wales that Ireland, too, should have been claimed as subject to its jurisdiction. Besides, from a letter of Pope Gregory VII. to Lanfranc, it might be argued that Lanfranc had been invested with certain extraordinary powers for the reformation of abuses in the Irish Church.[9] It is extremely doubtful

[1] *Idem*, p. 156.

[2] *Idem*, p. 159. This claim was founded on the letters of Pope Gregory to St. Augustine giving him jurisdiction over the British Bishops, and empowering him to establish an archbishopric at York for the northern district of Britain.

[3] *Idem*, pp. 188, 273. [4] Haddan and Stubbs, Vol. III., p. 208. [5] *Idem*, p. 292. [6] *Idem*, p. 299-300. [7] *Idem*, p. 302 [8] *Idem*, pp. 302, 617.

[9] Tuam vero fraternitatem admonemus quatinus inter omnia et prae omnibus nefas quod de Scotis audivimus, videlicet quod plerique proprias uxores non solum deserunt, sed etiam vendunt, omnibus modis prohibere contendat; ad haec enim Apostolica te auctoritate fultum esse volumus, ut non solum in Scotis hoc scelus, sed etiam in aliis. si quos in Anglorum insula tales esse cognoveris penitus extirpare non differas, Haddan and Stubbs, Vol. II., P. I, pp. 160-161

whether the reference is to Ireland or Scotland, and though the use of the word "Scoti" towards the end of the eleventh century might seem to indicate Scotland, the argument is not conclusive, especially as the abuses referred to in the Papal Letter resemble very closely those pointed out by Lanfranc as existing in the Irish Church. But even granted that there is question of Ireland, the letter affords no proof of Primatial jurisdiction over the Irish Church, but points rather to the opposite conclusion.

CHAPTER VIII.

THE CHAPTER OF ST. MARY'S CATHEDRAL, LIMERICK.

Its Foundation.

IN the re-organisation of the Irish Church, carried out in the 12th century, the object principally aimed at was the abolition of the peculiar usages, by which the Irish Church was distinguished from that of the rest of Europe. In liturgy, in discipline, and especially in its Episcopal organisation, the Irish Church was brought more into conformity with Continental customs.[1]

It is in connection with this movement that we must seek the origin of the Cathedral Chapters in Ireland. Up till that time, on account of the so-called monastic bishops[2] there was hardly any necessity for a body of secular Canons[3]; such as existed in other parts of the Church at this period; but once the Synods of Rathbreasil (1118) and Kells (1152) had fixed the boundaries of the different dioceses, and once the monks were confined to their own proper sphere,[4] the necessity for a body of secular clergymen to carry on the divine service in the Cathedral Church and to assist the bishop in his works immediately arose. Hence, it is stated that it was only towards the

[1] *Vide* Letters of Lanfranc and Anselm, Ussher's "Sylloge," 69-98, Gillbert's "De Statu Ecclesia," Migne, P. L., 159, Ussher's "Sylloge," 78, 87, St. Bernard's "Vita Malachiae," P.L. 182.

[2] Where the Bishop was either the Abbot of the Monastery, or even, as it happened in some cases, a simple monk, there was no necessity for a body of priests to assist him with their advice, or to give greater splendour to the service of the cathedral. This work was done by the members of the bishop's religious brethren.

[3] For an account of the origin of the Secular Chapters, *Vide* Hinschius "Das Kirchenrecht," etc.: Berlin, 1878; vol. II., p. 49 sqq.; Schneider, "Die Enstehung der Dom Kapitel." For reference to them in England, *vide* Spellman's "Concilia," tom. I. and II.: London, 1664.

[4] *Vide* Gillbert "De Statu Ecclesiae," cited above (Chap. VII.), where he lays down that the monk has nothing to do with the public administration of the Church.

middle of the 12th century[1] that we find the first reference to Secular Canons as they then existed on the Continent, in Ireland, and nearly all the Irish Secular Chapters were founded in the latter half of the 12th century or the beginning of the 13th.[2]

It is remarkable that though Gillbert, of Limerick, speaks of the Cathedral Church, and though he manifestly supposes that the canonical hours should be chanted, he makes no reference to a Canonical Chapter. He declares that the Bishop should have in his own church priests and ecclesiastics of inferior rank,[3] but this would seem to indicate the system of St. Martin of Tours or of St. Augustine, rather than the institution of Chrodegang. In Limerick, at any rate, it is certain there was no Chapter till the beginning of the 13th century. Donald O'Brien, King of Thomond, founded the Cathedral of St. Mary's, Limerick, about the year 1194. He granted to Brictius, Bishop of Limerick, to his successors, and to the clergy of St. Mary's the lands of Mungret and Ivannachan for their support.[4] The record of this grant is the earliest document contained in the Black Book of Limerick.[5] With the Cathedral now built, and with the partial endowment thus furnished by Donald O'Brien, it was natural that a Chapter should soon be founded.

The successor of Brictius was Donatus O'Brien, probably connected with the then ruling family in Limerick. He resolved, in imitation of the English custom, to found a Chapter of Secular Canons to

[1] At the Council of Kells (1152) Canons are mentioned, but it is not so clear that the reference is to Secular Canons as understood at this period.

[2] *Vide* Fasti, "Ecclesiae Hiberniae," *e.g.*, Province of Cashel. In Cashel itself earliest record is 1224, but it was, evidently, existing before that time. Emly was in existence 1219; its date of foundation unknown. Waterford, first mention in 1212. In Lismore, 1210 the Pope confirmed the possessions of Dean and Chapter. Cork, first mentioned in 1238, Cloyne in 1225, Ross in 1198 or 1199, Ardfert, 1225, Killaloe, 1253, Kilfenora, 1245.

It should not be wondered at that Chapters were not established earlier in Ireland. In some dioceses, *e.g.*, Meath, Chapters were never established; in others, they lapsed during the seventeenth and eighteenth centuries; and hence, for example, *e.g.*, in Derry, Kilmore, Ross, Kildare, Achonry, etc. No Chapters exist at the present day.

[3] "De Statu Ecclesiae."

[4] Carta Donaldi Regis Lymericensis, No. XXXII. [5] 1194.

recite the Canonical hours, and especially to celebrate a Mass of the B.V.M. daily.[1] The witnesses to this document are the Archbishop of Cashel, the Bishops of Cork, Cloyne, Ross, Ardfert, Emly, Kilfenora, Waterford, the Abbots of May, Mecharn, and Fury, the Archdeacons of Waterford, Killaloe, and of Maghfenn, the Priors of St. Catherine's and of St. Edmund's, the Dean of Cashel and others. Matthew, the Archbishop of Cashel, who signed this document, died in the year 1206, and David of Waterford, another signatory, was consecrated in 1204, and hence, we infer the Chapter of Limerick was established between 1204 and 1206.[2]

Personnel of the Chapter.

First, we find the Decanus, or as he is sometimes called, the Decanus chori. This title, though not found in Chrodegang's Rule, nor in the Rule of Aachen, was then in general use.[3] After him comes the Archdeacon, and it is noteworthy that though on the Continent and in England there were then many Archdeacons in each diocese,[4] we find reference to only one Archdeacon in Limerick.[5] Besides these, the Precentor and the Treasurer are mentioned in the foundation deed of Bishop Donatus.

In addition to these, eight Canons were appointed, to four of whom certain prebends were assigned for their support; the other four were dependent upon the Communia or common revenue of the Cathedral. Thus, at its foundation the Chapter of Limerick consisted in all of twelve members;

[1] No. CXLII.

[2] *Vide* Gam's "Series Episcoporum" (Waterford); Eubel, "Hierachia Catholica" (Waterford).

[3] Hinschius, vol. II., p. 53. In Chrodegang's Rule the Archdeacon stood at the head of the Chapter, while in the Aachen Statutes the Praepositus takes this place.

[4] Hinschius, Vol. II., p. 180; Haddan and Stubbs, "Concilia," vol. II., 477.

[5] In Limerick the Archdeacon was clearly a member of the Chapter. This is evident from the foundation deed, and also from meetings of the Chapter, *e.g.*, No. LXXVII.: "T. Decanus, T. Precentor, Guydo Cancellarius, R. Thesaurarius, G. Archidiaconus, etc."

and this was about the usual number in any of the Irish Chapters at the time.[1] Later on, as we shall see, this number was increased.

It is remarkable that in the foundation deed of Bishop Donatus two of the Canons are styled "canonicus capellanus."[2] The same designation is found frequently throughout the Black Book.[3] Who were these Canonici Capellani? It is more probable that they were the Canons deputed by the Chapter to undertake the "cura animarum" of the faithful attached to this particular church.

In the foundation deed of Bishop Donatus no provision was made for the appointment of Vicars. But during the reign of Bishop Hubert (1223-1250) we find frequent reference to the Vicars of the Cathedral.[4] Bishop Hubert was very generous in assigning revenues for the support of the Canons, and it is very probable that to him must also be assigned the establishment of a body of ChoralVicars such as may be found in nearly all the Irish Chapters of this period.

Besides these Vicars we find the Chapter of Limerick in a meeting held during the interregnum between the death of Robert and the election of Gerald (1272), ordaining that ten Chaplains[5] should be appointed to undertake the due service of the Church and to celebrate daily masses for its benefactors both living and dead. They were to be paid from the common revenue of the Chapter, by two members of the Chapter deputed for that purpose, and according to their merits. This regulation of the Chapter was afterwards approved by Bishop Gerald.

[1] Letter of Honorius III. (1224) fixing 12 as number for Chapter of Cashel. *Vide* Theiner, "Monumenta Scotorum," No. 54, p. 22; Fasti, "Ecclesiae Hib.," vol. (Munster,) p. 32.

[2] Ricolus, and Paulinus, *vide* Donatus' Foundation Charter, No. CXLII.

[3] *Vide* No. LVII. Hiis testibus M. Archidiacono, Lymericensis, M. T. Thesaurario, Magistro W. T. Capellano, D. Clerico, W. Capellano, canonicis Lymericensis et aliis, No. LVIII.; No. LXXXI.

[4] *e.g.*, *Vide* No. LII. H. dei gracia ... confirmasse deo et beate M. V. et Canonicis et Vicariis ecclesie nostre Cathedrali Lymericensis personaliter servientibus.

[5] *Vide* No. LXXVII. Constituimus quod decem Capellani ad minus in predicta ecclesia Cathedrali de cetero in perpetuum teneantur, et expleto servicio eidem ecclesie debito pro benefactoribus eiusdem tam vivis quam pro defunctis missas celebrent cotidianas, quibus de communia capitulo et canonicis debita per certas personas cotidie predicte communie per capitulum etc.

But the number of members in the Chapter of Limerick was not permanently fixed by the foundation deed of Bishop Donatus. Thus. for example, we find in later documents a reference to a Chancellor,[1] an official very commonly to be met with in English Chapters.[2] Nor can it be maintained that the Chancellor was but another designation for the Precentor.[3] Besides Bishop Gerald (1272-1301) founded a new prebend in 1279, and handed over the presentation to this benefice to Maurice de Rupefort. binding himself and his successors to confer upon the person so presented by Maurice and his heirs a stall in the choir and a place in the Chapter.[4]

An interesting question arises from a consideration of some statutes passed by the Chapter (1311). In these statutes it is laid down that no Canon "*neque Realis neque Vocalis*" shall be appointed till all expecting prebends shall have been provided for.[5] Who were the Canonici Reales and the Canonici Vocales? The distinction would seem to correspond with the division of Canons into "*Canonici in fructibus et floribus, vel in perceptione* and *Canonici in herbis*,"[6] that is to say, the Canonici Reales had a fixed prebend, a stall in the Choir, a definitive vote in the deliberations of the Chapter, in a word, all the rights and privileges of Canons.[7] The Canonici Vocales, on the other hand,

[1] *e.g.* No. LXXVII.: "Universis Christi fidelibus ad quos presentes litterae pervenerint Magister Thomas Decanus Cathedralis ecclesie Lymericensis, Magister Thomas Precentor, Guydo Cancellarius, Ricardus Brice Thesaurius, Geraldus Archidiaconus, etc."

[2] *Vide* Hinschius, vol. II., pp. 101, 102, 108. The Cancellarius appears to have been much the same as the Canonicus Scholasticus of many Continental Chapters. *Vide* Wilkins, vol. II.

[3] *Vide* supra, where both are mentioned simultaneously.

[4] *Vide* No. CXLIV.: "quod ecclesia predicta (Effyng) sit prebenda ecclesiae Lym. quod predictus Mauricus vel successores vel assignati habeant ius presentandi, etc."

[5] *Vide* No. CLXVII.—"iuratum est ut nullus canonicus neque vocalis neque realis in ecclesia nostra Lymericensi fiat donec omnibus et singulis canonicis expectantibus fuerit de prebendis provisum."

[6] Hinschius, Vol. II., p. 64.

[7] This would seem to be implied in the Constitutio Episcopi Lym. super ecclesia de Effyng, *Vide* No, CLXVII. "Eidem *stallum in choro* et *locum in capitulo* assignare."

had a stall in the Choir, but had no definitive vote in the deliberations, and more probably had no fixed prebend, but were dependent upon the common revenue. The reference to "Canonici Expectantes" in this Statute need not surprise us, as the prohibition of the Council of Lateran (1179) had been modified by later Popes, and a certain number of "Canonici Expectantes" was allowed.[1]

Other Officials.

A. (1) In the Black Book we find reference to an official designated as the *Seneschal of the Bishop of Limerick.*[2] There is nothing to indicate what was the nature of his particular duties.

(2) *A Sub-Thesaurarius* is also mentioned. He was evidently appointed to assist the Treasurer, but there is no proof whether he was a member of the Chapter or not. Such an official was not unknown in the Continental Chapters.[3]

(3) The Vicarius of the Bishop of Limerick is also mentioned.[4] It is not certain whether the ecclesiastic so named was the Vicar General of the Bishop in the canonical sense of the word.[5] The fact that Vicarius is used in the singular would seem to indicate that he was; and the jurisdiction attributed to him, namely, of forcing people to appear in Court to give evidence would also appear to support this theory.

[1] *Vide* Hinschius ut supra.

[2] XLVI. Hiis testibus Magistro Thoma de Wodeforde decano de Lymericense, Johanne de Penrys tunc Seneschallio Episcopi Lymericensis, Reginaldo de sancto Jacobo, etc.

[3] *Vide* Hinschius, Vol. II., pp. 104-105.

[4] No. XLIX. Agreement between Bishop of Limerick and Killaloe to leave the settlement of a dispute about Douenathmor to 20 English. "Et si electi per eosdem venire ad instanciam eorumdem venire recusaverint Vicarius Lymericensis eosdem ad certos diem et locum venire et iurare ex officio suo faciet . . . per vicarios Lymericensem exigendorum."

Vide etiam No. LI., Teste Adam Clerico tunc Vicario Lymericensio.

[5] *Vide* Hinschius, Vol. II., 206-207. The Vicarius was not, of course, a member of the Chapter.

(4) Another name we find in the Black Book is "*Officialis*" of Limerick.[1] In some cases the Officialis was the same as the Vicarius; in other cases the name indicates a different person.[2] According to English usage in the thirteenth century[3] the Officialis presided over the diocesan Court, and it was his duty to inquire into serious causes, *e.g.*, Matrimonial and Testamentary Causes, in questions about Benefices, and the spoliation of Churches; and to him could be made an appeal from the Court of the Archdeacon or the Dean. In contradistinction to this term, we find "*Officiales*" who were merely agents in particular cases of the Bishop or even of the Archdeacon.[4] There is nothing in the reference to Officialis in the Black Book which would prove that he was the head of the Bishop's Court. On the other hand, there is clear reference to the "*Officiales*" or subordinate officials both of the Bishop of Limerick and of the Archbishop of Cashel.[5]

(5) *A Canonicus Administratror Communiae*, that is to say, an administrator of the common revenues of the Chapter of Limerick, is also once mentioned in the Black Book.[6]

(6) *The official designation of the Chapter.* The usual designation of the Chapter is "Decanus et Capitulum."[7] Besides this we find "Decanus Cathedralis et capitulum."[8] "Decanus et totum capitulum,"[9] "Decanus et alii Canonici Ecclesie

[1] *Vide* No. XCIX. Hiis testibus J. Decano, M. Archidiacono Lymericense Magistro Everardo, Willelmo de Kardyff, Waltero Keytyng, Rogero May, Waltero Cros, *Magistro H. Officiali*, Rogero Clerico et aliis.

[2] *Vide* Hinschius loc. cit.

[3] *Vide* Spellman's "Concilia," Vol. II., 413, 414, 550, 638.

[4] *Vide* Spellman's "Concilia," under Officiales in Index.

[5] *e.g.*, No. LXXVII. "Ut scilicet Decanus Cathedralis omnes prebendas ad ecclesiam predictam pertinentes temporibus iure prefinitis auctoritate propria libere valeat visitare. Ita quod nullus episcopus per se vel per officiales suos in ipsis sibi ius vindicet visitandi." In reference to A. B. of Cashel they are called Commissarii, *Vide* No. CLXXII.

[6] No. CXL. Thomam de Kardyf. Canonicum Lymericensem, dicte communie administratorem ad dictam ecclesiam . . . presento (Hubert, 1223-1250).

[7] No. LXV. [8] No. LXXXVI. [9] No. CVII.

Lymericensis."[1] "Decanus Archidiaconus et totum capitulum"[2] "*Communitas ecclesie Lymericensis.*" But perhaps the most curious is *Decanus capitulum et Canonici ibidem Deo servientes.*[3] We should have been inclined to attribute this to a mistake on the part of the copyist, did we not find the same expression in several places in the manuscript.[4]

The Election of Members of the Chapter.

On the foundation of the Chapter Bishop Donatus named the first body of Canons as well as the Dignitaries of the Chapter.[5] This was natural in the beginning, but acccording to the Canon Law in force at the time the future provisions of Canons could not be left entirely in the hands of the bishops. During the thirteenth century, on the Continent, we find that the Chapters had secured for themselves a voice in the appointment of the Dignitaries and of the Canons.[6]

In Limerick during the Bishoprics of Hubert (1223-50), and Robert (1251-1272), the Chapter of Limerick had got certain privileges which they set forth in a Chapter meeting held during the interregnum (1272) between the death of Bishop Robert and the appointment of a successor. According to these Statutes passed by the Chapter[7] the Dean should

[1] No. XLIX. "Quod dictus episcopus Laonensis defert sacramento Episcopi Decani et aliorum Canonicorum ecclesie Lymericensis in Hibernia existencium."

[2] CXXI. "De consensu Decani, Archidiaconi et tocius capituli nostri."

[3] No. CXXXI. "Et Vicariam Decano et capitulo nostro liberaliter et canonicis ibidem deo deservientibus concessimus."

[4] No. CLXIX. "Noverit universitas vestra me relaxasse et in perpetuum quietaclamasse deo et ecclesie beate Marie de Lymericensi decano, et capitulo, et canonicis ibidem deo deservientibus."

Vide No. LXXVII.: "Quibus de communia *capitulo et canonicis* debita per certas personas cotodie predicte communie per capitulum et canonicos deputatas, prout singulorum merita requirunt competenter provideatur." We do not see any explanation of this formula, "Capitulum et Canonici," unless indeed it be an error for the other formula so frequently met with through the Book, "Canonici et Vicarii ibidem Deo servientes." Possibly the Capitulum in the case designates those who hold the dignities in the Chapter, while the "Canonici" refer to the simple canons.

[5] *Vide* No. CXLII.

[6] *Vide* Hinschius. Vol. II., pp. 137, 139, 613 sqq.

[7] *Vide* LXXVII.

be selected by a vote of the whole Chapter, and the person so selected should be appointed by the Bishop without delay or contradiction, if the election had been canonically made. With regard to the other dignities, namely, the Prenctorship, Chancellorship, Treasurership, and Archideaconate, the Bishop should on no account confer these offices upon a stranger, but with the advice of the Canons present, or of the "maior et sanior pars" of them, he should appoint to these positions Canons distinguished by their exemplary life. When, however, the inferior prebends became vacant, the Bishop having sought the advice of the Canons should appoint such outsiders as understand the wants of the Church and are able and willing to provide for them, and to defend the Church against unjust oppression. The Chapter not alone agreed to these Statutes, but each individual member bound himself by an oath on the Gospels to have them observed.

Bishop Gerald, on his election, ratified these[1] regulations, that had been made by the Chapter, in almost the same words as those used in the Capitular Statutes. In another Capitular meeting held in the interregnum between the death of Robert and the election of Eustace (1311)[2] it was agreed that whichever of their number should be elected Bishop, should take care that in the collation of dignities the old Statute should be faithfully observed, that is to say, that they should not be conferred upon any stranger, and that no Canon "neque Realis neque Vocalis" should be appointed till all expecting prebends had been provided.

These regulations naturally did not regard the rights of patronage which a private benefactor who had provided funds for the support of a Canon might enjoy, nor did they prevent the Bishop from erecting a new Canonry and handing over the *jus patronatus* to an individual. Thus Bishop Gerald constituted the Church of Effyn[3] a Prebend of the Cathedral of Limerick, and handed over to Maurice de Rupefort and

[1] The date of ratification is not given. *Vide* LXXVIII. The words of the Statute of the Chapter are adopted in the Bishop's ratification; and hence, it is not necessary to repeat them.

[2] *Vide* No. CLXVII. [3] *Vide* No. CXLIV.

his heirs or assignees the right of presenting a suitable man whenever a vacancy occurred, and the Bishop bound himself and his successors to appoint the candidate so presented without difficulty or contradiction, and to assign him a stall in the Choir and a place in the Chapter. [1]

The Sustentation of the Chapter.

The Revenues of the Chapter may be divided into two classes, namely, the Prebends, which were assigned to particular individuals, and the Communia, which was held in common by the Chapter. The Communia was derived from several sources, viz. :—

(*a*) All the fruits of the Cathedral of B.V.M., Limerick [2] "in testamentis, in redditibus, in obvencionibus, in oblacionibus," the only exception being, that when the Bishop personally sang the Mass in the Cathedral, he should receive half the oblations. This restriction appears to have been necessitated by the poverty of the diocese, and was afterwards removed by Bishop Hubert (1223-1250). He, by the advice of his Canons and of other discreet men, granted to the Communia of the Cathedral Church [3] all the oblations which the Bishops were accustomed to receive whenever they personally celebrated as well as all other oblations which on other days they ordinarily received.

(*b*) In the foundation deed of Bishop Donatus the Chapter was granted half the oblations given during the Pentecost procession, referring apparently to the procession at the Cathedral. [4] Bishop Hubert allowed them the whole oblations of all the processions held throughout the diocese at Pentecost, reserving nothing for himself or for his successor. [5]

[1] In England the election of the Dean had for a long time belonged to the Chapter in some places. *e.g.*, In church of Salisbury from time of Bishop Osmund (1096). *e.g.*, Istud etiam notorium est, quod libera electio Decani ad Canonicos Ecclesie pertinuit a tempore beati Osmundi praedicti. *Vide* Wilkin's "Concilia," Vol. I., pp. 741 sqq. "History of St. Patrick's Cathedral" (Mason), Dublin 1819. Appendix, p. 3.

[2] *Vide* No. CXLII. [3] No. LXXI.

[4] *Vide* No. CXLII "Et medietatem omnium oblacionum in Pentecoste" from foundation-deed of Bishop Donatus. [5] *Vide* No. LXXXI.

(*c*) Bishop Donatus also assigned them half the tithes of all kinds of fishes taken in the Limerick fisheries.[1] Limerick, situated on the River Shannon, was then as now remarkable for its fisheries. The tithes of the fisheries of Limerick belonged to the Treasury of the Church, as we can see from the Inquisition held by Henry III.

(*d*) He gave, besides all the tithes of all the lands which were in his possession on the day on which this deed was executed, and of all the lands which in the future he would give to laymen, and all the dues of Cotheann outside the city, and the Churches of St. Mary Magdalen and of St. Martin, with everything pertaining to them, and the Church of Douenathmor and of Killiadeli with all their spiritualities.

Bishop Hubert seems to have been very generous with the Chapter. Besides these donations already mentioned he granted during his reign the fishery of Corethdower,[4] the Churches of Kilethin,[5] all ecclesiastical benefices of Kilstoly,[6] Kilgoban and Kilscelbeg, all the ecclesiastical benefices of Glyncorby according to the presentation of Richard of London,[7] the Villa of Sengol,[8] reserving to the Bishop the care of souls. The Church of Clonka[9] was granted to provide books and vestments for the Cathedral.

Bishop Gerald (1272-1301) granted the Chapter on the presentation of John De Cogan the Church of Crecouertha,[10] and in 1299 the Church of Corkomoyd.[11] Besides, from other sources the Chapter received half the tithes of the fishery of Kilmmorath, the tenement of Laukyl,[12] of Dysertfergus,[13] Cathyrasse,[14] the grant of a certain fixed portion of land beside Limerick from King John,[15] jus Patronatus in foedum laicum de Magrany,[16] all the ecclesiastical benefices of Clyncorbry,[17] besides yearly incomes amounting to a considerable sum of money.

[1] *Vide* No. CXLII. "Et medietatem decimarum omnia generis piscium de Lymericensi. [2] *Vide* No. LXIII. [3] *Vide* No. CXLII.
[4] *Vide* No. LVII. [5] *Vide* No. LXI. [6] *Vide* No. LXXI. [7] *Vide* No. LXLII.
[8] *Vide* No. LII. [9] *Vide* No. LXIV. [10] *Vide* No. CXXXII.
[11] *Vide* No. CXXXI. [12] *Vide* No. L. [13] *Vide* No. LI. [14] *Idem.* [15] *Vide* No. CXXV.
[16] *Vide* No. CXXII. [17] *Vide* No. CXXIV.

To the Dean was assigned at the foundation of the Chapter the Church of St. Nicholas,[1] to the Archdeacon the Church of St. John within the city, the Church of Kildacolum, and the Church of Kildima with all its lands and appurtenances, together with all the spiritual benefices of Ardach.[2] To the Precentor the Church of Sengola and of Ardinvir, and of Rathnaser as a prebend. To the Treasurer was granted, as Prebend. the Church of Sengol, with the land of Rathgerallain, together with the benefices of Drummoluba with all its appurtenances of the fishes, as well as of the other benefices. To one of the Canons, the Church of Mungaret was given as a prebend; to another the Church of St. Munchin; to another the Church of St. Michael and all the spiritual benefices of Katherdufduli and of Killonchon; to another all the spiritual benefices of Balimurchada, and of Nunvidearta and of Formiliart, and of Ardchatin and of Balicorcram.[3]

Besides these, we find that Bishop Hubert gave to Thomas Wodeford, Dean of the Chapter, the Church of St. Nicholas, Mungaret, Maycro, with the Chapel of Lysmuck, the Church of Browry and of Ballysyward,[4] while the same Thomas received from Bishop Robert in 1253 the benefices of Carnarthy and of Rathsyward. Bishop Gerald also created the Church of Effyn a Prebendal Church, the presentation to which was granted to Maurice de Rupefort and his heirs.[5]

Under Bishop Eustace a new arrangement of the Prebends of the Church of Limerick was made.[6] He confirmed the grant of prebends that had been assigned to the Chapter of Limerick by Bishop Donatus. These Benefices he absolved for ever from all exaction of Procuration on the part of the Bishop or his subjects, and from all synodal donations, reserving only to the Bishop the right of punishing the crimes of clerics. Besides these he granted as prebends, to be conferred upon Canons, all the churches which were then in the gift of the Bishop of Limerick. Besides, he allowed that all the thirteen spiritual prebends should

[1] *Vide* No. CXLII. Deed of Bishop Donatus ut supra.
[2] *Idem.* [3] *Idem.*
[4] *Vide* No. XCI. [5] *Vide* No. CXLIV.
[6] This is an interesting document. *Vide* No. CXLVIII.

be conferred by the common advice of the Bishop and Canons, reserving to the Bishop a moderate procuration for twenty years and his episcopal rights for ever. The Dean, however, and the Canons should resign all the lands besides these, and all their rights to the Bishop, who retained for himself and his successors liberty in conferring benefices and all other privileges which his predecessor enjoyed.

Duties of the Chapter.

I.—IN THE CATHEDRAL.

The object of their institution, as Bishop Donatus explains, was to add to the splendour of the divine service in the Cathedral. Their principal duty was the celebration of a Mass of the B.V.M. each day[1]—the usual conventual Mass. At first there were no Vicars, but even after the establishment of a body of Vicars the Canons seem to have continued to personally fulfil their duties.[2] But, it is not clear that afterwards they continued to personally attend. It would seem rather that Vicars were deputed to take their place.

II.—IN RELATION TO THE BISHOP AND THE GOVERNMENT OF THE DIOCESE.

During the thirteenth century especially the Chapters were continually striving to extend their power, and to restrict the jurisdiction of the Bishop.[3] Following the example of the new Religious Orders they sought for exemption from the authority of the Bishop. In Limerick, too, difficulties arose during the thirteenth century between the Bishop and the Cathedral Chapter. They tried to restrict the Bishop's power.

(a.) *In his Right of Visitation.*

In many of the English Chapters, on the model of which the

[1] *Vide* No. CXLII. [2] The vicars are first mentioned under Bishop Hubert (1223-50).

[3] Hinschius, Vol. II., pp. 153, sqq.

Irish Chapters were founded, the Dean and Chapter had the privilege of exemption from the Visitation of the Bishop or his officials; nor did the Bishop receive any Procuration from these churches, nor frrom any churches, lands, or dues appertaining to the Communia.[1] A privilege of an almost similar kind was guaranteed to the Chapter of the Archdiocese of Dublin.[2] In Limerick no such concession was made to the Canons at the foundation of the Chapter. But from the statement of the Canons it appears that Bishop Hubert granted the privilege that the Dean had the right of visiting the Churches belonging to the Chapter, and that the Bishop had no right of visitation either in person or by his official. This privilege had continued down till 1272, when they included it in their Election-Compact. This statute is not referred to in the approbation of Bishop Gerald. But in 1295, Bishop Gerald decided a dispute that seems to have broken out between the Archdeacon and the Dean, as to which of them enjoyed the right of visiting the prebendal Churches, and those belonging to the Communia. The

[1] Wilkin's "Concilia," Vol I., pp. 741 sqq.

"Dignitas Decani et omnium Canonicorum est, ut Episcopo in nullo respondeant, nisi in Capitulo Cathedrali Ecclesiae Sarisburensis et judicio tantum ejusdem capituli pareant. Habent etiam curiam suam in omnibus prebendis suis, et jurisdictionem Archidiaconalem, ubicumque Prebendae assignatae fuerint in diocesi Sarisburensi, sive in ecclesiis, vel decimis vel terris, ita quidem ut nulla exigentia omnino in dono vel assisa, aut aliqua alia consuetudine ab episcopo vel aliquo alio fiat in praebendis eorum, vel omnes libertates eorum et omnes dignitates plenarie et pacifice habeant, quas predictus Osmundus Episcopus in eis prebendis habuit, cum eas in suo haberet dominio. In quibus Episcopi et Archidiaconi nec visitationem, nec procurationem ratione visitationis nec pecuniarum auxilium hactenus habuerunt, sic enim obtentum est ex libera et approbata consuetudine, a tempore cujus non extat memoria." Letter of the Dean and Chapter of Salisbury to Dean and Chapter of Glasgow, 1259, ut supra.

[2] Concessimus etiam predictis canonicis quod prebendae eorum sint immunes a visitatione et procuratione Archidiaconi, et quod non suspendantur nisi judicio Capituli Sancti Patricii. Et quod Presbiteri eorum Prebendarii non sequantur nisi duo generalia capitula Archidiaconi, videlicet proximum post festum Sancti Michaelis et proximum post octavam pasche (nisi ipsi deliquerint, tunc sequantur communia capitula donec causa illa terminetur, qui astricti erunt per sacramentum Archidiaconi Dublin), quum ei presentabatur per ullam causam in parochiis suis ad eum pertinentem ei celabunt, ob quam causam sequentur capitula si opus fuerit, iurabunt etiam quod Synodalia terminis statutis reddent. Mason, Appenderi, No. 1.

Bishop, relying upon old statutes, and the agreement to which the Canons had sworn, decided that to the Dean belonged the right of visiting these Churches appertaining to the Chapter, and that only in case of negligence could the Bishop or Archdeacon interfere.

It would appear as if this regulation had not been followed exactly, because in the Chapter meeting (1311)[1] we find as part of the Election-Compact it was agreed that whenever the Bishop exercised his rights of Visitation he should indeed visit the Dean, but should not visit any of the Canons unless the negligence of the Dean were notorious and manifest. Hence it would appear, as if the Chapter agreed, that the Dean was subject to the Episcopal Visitation, but the rest of the members were exempt.

In this connection the agreement made and approved by Leo X. (1516) with regard to the Chapter of St. Patrick, Dublin, is interesting:—

"In primis concordatum est, quod cognitio correctioque et determinatio omnium causarum ecclesiasticarum, omnium Canonicorum ecclesie Cathed. predicte, cuiscumque conditionis status et preminentiae fuerint pariter et parvorum Canonicorum et Vicariorum choralium ceterorumque omnium ministrorum Ecclesie predicte, necnon et clericorum ac laicorum in glebis Decani seu Canonicorum commorantium ad Decanum et Capitulum primo loco pertineant, exceptis Apostasie, Scismatis, Symonie et Heresis ac Homicidii criminibus . . .

Item concordatum est quod jurisdictio de Vicariis perpetuis in ecclesiis prebendalibus ac eorundem correctio necnon et ceterorum parochialium capellanorum et clericorum in eisdem ecclesiis servientium

[1] *Vide* No. CLXVII.

Statuimus etiam quod Archidiaconus predictus non possit Ecclesias vel Capellas ecclesiarum Prebendarum vel Communie, sive ipsarum Capellanos vel Clericos suspendere, sine consensu nostro vel successorum nostrorum. Mason, Appendix IV., p. VI.

ad Decanum accumulative cum Archiepiscopo et Archidiacono pertineant.

Item concordatum est quod in puniendo Canonicos extra jurisdictionem Decani et infra jurisdictionem Archiepiscopi delinquentes contrahentes vel ibidem domicilium vel rem de qua agitur habentes, locus sit preventioni inter Archiepiscopun et Decanum, dummodo fiat in domo capitulari, et cum judicio Capituli secundum formam inferius traditam.

Item concordatum est, quod in omnibus et singulis causis personam Decani concernentibus, semper primo loco cognoscat Archiepiscopus, sive agatur ad correctionem, depositionem, sive degradationem, dummodo, tamen, forma de judicio capituli, inferius tradita, observetur.

In the Alienation of Church Property.

In asserting their rights to a share in the government of the Diocese it was natural that the Chapters should claim a voice in the alienation of Church Property. During the thirteenth century it was commonly received that the Bishop could not sell or lease or encumber in any way the property of the Church without the consent of the Chapter.[1] Such a doctrine, too, was strongly put forward by the Chapter of Limerick. In a meeting held under the Presidency of Thomas Wodeford,[2] Dean of the Chapter (1265) they declared that they would not confirm any alienation of Church property made by the Bishop, unless the matter had been previously discussed in the Chapter, and unless the Chapter had given its consent. The same regulation was agreed to under oath in the Election-Compact of 1272,[3] and was confirmed by Bishop Gerald.[4]

[1] Hinschius, Vol II., p. 153.
[2] *Vide* No. CXLIII.
[3] *Vide* No. LXXVII.
[4] *Vide* No. LXXIX.

In Procurations.

Procuration was the name given to the maintenance of the Bishop, Archdeacon, or officials while engaged in their Visitation.[1] But abuses were soon introduced. Sometimes the Archbishop, Bishop, or Archdeacon brought in his train a numerous retinue, so that the expenses to be borne were very high;[2] sometimes, too, the Procuration was demanded, although no Visitation took place.[3] Hence, measures had to be taken to restrict this right of levying Procuration.

In Limerick, besides securing their own Prebendal Churches and lands, as well as those belonging to the Communia, the Chapter tried to limit the Bishop's power of levying Procurations throughout the Diocese.

Thus, in their Election compact of 1272 it was agreed that whichever of them should be elected Bishop, should not demand procuration nor exactions on their Visitations, especially as in every side of the Diocese the Bishop had his own houses to which he could conveniently retire after each day's Visitation.[4] The same was to hold true for the Officials of the Bishop. Gerald, on his election confirmed this agreement, reserving, however, to himself and his successors the right of receiving procurations from the Churches of the Religious, or of Rectors living continually outside the Diocese of Limerick, whenever their churches were visited by the Bishop or by his officials.[5]

[1] Ut procuratio aliud non sit nisi sustentatio visitantis. Wilkin's "Concilia." Tom II., p. 880.

[2] Decrees were passed regulating this in Council at London (1200). "Archiepiscopus Parochias visitans quadragesimum vel quinaquesimum evectionis numerum, Episcopus vigesimum vel trigesimum nequaquam excedant; Archidiaconus vero quinque aut septem, Decani constituti sub episcopis duobus equis contenti existant. Nec cum canibus venatoriis aut avibus proficiscantur sed sed ita procedant ut non quae sua sunt, sed quae Jesu Christi quaerere videantur. Wilkins, Tom II., pp. 124-25. *Idem*, pp. 275, 276, 454.

[3] Council, London (1200). "Sane ad praecidendum tam avaritiae quam negligentiae vitium auctoritate Toletani Concilii subnixi, praecipimus ut Visitator ab Ecclesia in qua Visitationis officium debito modo non exercet, procurationem aut procurationis redemptionem exigere non praesumat." Wilkins, Tom II., p. 125. *Idem*, 125, 156, 275, 454, 489.

[4] *Vide* No. LXXVII. [5] *Vide* No. LXXIX.

Apparently this arrangement was not being carried out, as is evident from the meeting of the Chapter in 1311.[1] They declared, that the Procuration exacted by the Bishop by reason of his Visitation—namely, two Solidi out of every mark, in case of all except Prebendal Churches, has caused serious complaint. They declared, furthermore, that this state of things could not be allowed to continue, and they swore that whichever of them should be elected Bishop must restrict his procuration from each Church and Chapel of Limerick to the amount customary in the time of Bishop Gerald, giving up all right to any increase introduced since then.

Meetings of the Chapter of Limerick.

In the Black Book reference is made to only three assemblies of the Chapter in which certain regulations were agreed to. One of these was held during the time of Bishop Robert (1265).[2] The Dean and the Chapter ordained that they would never confirm a grant or alienation made by a Bishop for the future unless the matter had been first fully discussed in the Chapter, and that they had given their consent. This matter of alienation of property seems to have been the cause of frequent disagreement between the Bishop of Limerick and his Chapter. The other two were held during the interregnums following the deaths of Bishop Robert (1272) and Robert Dundonald (1311). They are good examples of the *Election Agreements*[3] which were so common in the 13th century.

In the Chapter meeting of 1272 they resolve to confirm certain privileges that had been granted to the Chapter by former bishops, to add some new ones and to reduce them to writing, binding themselves under oath to their observance. They first ordained, and each individual swore, that whichever of them should be elected bishop should

[1] *Vide* CLXVIII. [2] *Vide* No. CXLIII.

[3] *Vide* Diozesansynoden und Domherrn Generalkapitel des Stifts Hildesheim. Maring, Hanover, 1905, p. 83. The first in Germany from Bishop Siegfried I. Hildesheim (1216).

not demand procurations and exactions whenever he visited the diocese. The next statute regulated the election of the dignitaries and members of the Chapter. The third statute regarded the alienation of property. It was laid down that no future Bishop should presume to hand over to any person under any title any of the lands or possessions of the Cathedral until the matter had been first carefully discussed in the Chapter; and as regards those already alienated, they should do their utmost to recover them. In the fourth place, they ordain that no future bishop should presume to arrogate to himself either entirely or in part the Communia that had been granted to the Chapter either by his predecessors or by anybody else; but they allowed the Bishop to warn the Dean and the other Procurators if they had been negligent in the administration of the Communia. They next established ten chapellancies, the holders of which should attend to the service of the Cathedral and celebrate Mass for the benefactors both living and dead. These were to be paid from the common fund. Finally, they ordained that the future Bishop should take steps at his own expense, and that of the Chapter to secure the confirmation of the Holy See for these Liberties and Statutes. And if, unfortunately, he should not do so, or should act in opposition to them, he is to be regarded as a perjurer; and the Dean and the Canons, mindful of their own salvation and of their oaths are, ipso facto absolved from obedience to him until he has made up his mind to observe these liberties and decrees. These were sealed with the seals of the Dean, Canons, and common seal of the Chapter. Besides, they inserted a privilege which had been granted by Bishop Hubert, continued by Bishop Robert, and now in existence for forty years—namely, that the Dean of the Cathedral had the right of visiting the Churches belonging to the Cathedral at certain fixed times, and that no Bishop, either personally or through his officials should claim for himself the right of visiting these Churches.

In 1311 another meeting of the Chapter was held during an interregnum, and another Election-Compact arranged. It was declared

that the procurations demanded by the Bishop had caused great discontent, and they swore that whichever of them was elected Bishop should receive procuration according to the scale that was customary in the days of Bishop Gerald. They swore, too, that no Canon of any kind should be appointed till all who expected had been provided with Benefices, and that in the collation of Dignities the ancient Statute should be faithfully observed. They decided, too, that when the Bishop exercised his right of Visitation he should, indeed, visit the Dean, but should not visit any of the Chapter, unless on account of the manifest negligence of the Dean.

CHAPTER IX.

THE YEAR OF GRACE IN THE LIMERICK CATHEDRAL CHAPTER.

IN some of the Continental Chapters we find that during the eleventh and twelfth centuries a privilege was granted to the Canons of disposing of the fruits of their benefice for one year after their death.

The first reference that is found to this "Annus Gratiae" is in a Kollegialstift of Graf Balderich Von Brabant (1047), in which was granted to the members the privilege of disposing of the fruits of their Benefice for a full year after their death. In 1140 Bishop Buggo, in Worms, extended the privilege from 30 days to a full year. Bishop Eberhard, of Worms extended (1263) the privilege to a case where a Canon joined a religious in order to enable him to pay his debts. In 1165 Bishop Hartwig von Bremen gave the same privilege in order to pay the Canon's debts or to secure the prayers of the poor for his soul. So in Stendal (1192) and in Rostock (1226) the privilege was granted for payment of debts.

Whence the origin of this Annus Gratiae? Apparently to provide a means whereby the debts of the Canons could always be paid, and perhaps to provide something to secure that Masses should be said for the repose of their souls. Dr. Brünnech holds that the origin of the "Annus Gratiae" is not be sought in the fact that for a year after appointment the Canons received no revenue (*Annus Carentiae*), and that, on this account, the "Annus Gratiae" was given as a compensation. There is no mention af such an end in the earlier grants. But, on the contrary, the origin of the "Annus Carentiae" is to be sought in the "Annus Gratiae;" for if the deceased Canon had a right to dispose of the fruits of the Benefice for one year, the Canon succeeding him would receive nothing for the first year, and hence the first year would be an

[1] *Vide* "Kirchenrechtliche Abhandlungen," von Dr. Ulrich Stutz, 21 Heft; "Zur Geschichte und Dogmatik der Gnadenzeit," von Dr. W. V. Brünnech. Stuttgart, 1905.

"Annus Carentiae." In English Chapters we find reference to the same custom, *e.g.*, in the statutes of Bishop Osmond (1096) [1] for the Chapter of Salisbury, and afterwards in Bishop Esmond's for the same Chapter. In Dublin we see reference to this privilege in the foundation deed [2] by which Bishop Comyn (1190) erected the Cathedral Chapter of St. Patrick's. In the foundation deed of Bishop Donatus, the members of the Cathedral Chapter of Limerick were allowed the privilege of disposing of the fruits of their benefices for a full year after their death, either for payment of their debts or for the good of their souls.[4]

Later, at a time when efforts were being made on the Continent to restrict this privilege,[5] Bishop Hubert extended it for Limerick

[1] "Ad haec etiam duas partes Praebendae Canonici defuncti in usum concessi caeterorum Canonicorum, et tertiam partem in usum pauperum per unius anni spatium." Dugdale's "Monasticon Anglicanum," tom III., p. 376.

[2] On this point there is an interesting letter of Honorius III. Wilkin's "Concilia I.," p. 597.

Honorius (III.) episcopus servus servorum Dei dilectis filiis decano et capitulo Lichefeldensi salutem et apostolicam benedictionem . . . Significastis siquidem nobis, quod vobis est a venerabili fratre nostro Coventren, episcopo loci diocesano ut cum aliqui con-canonicorum vestrorum mori contigerit, praebendae suae proventus anni sequentis a die obitus computando pro ipsius defuneti exequiis in executione testamenti sui libere convertantur, relevato tamen ex eis unde vicarius qui defuncti loco interim in ecclesia vestra deserviet honeste valeat sustentari. Nos igitur . . . auctoritate apostolica confirmamus, etc.

[3] "Preterea, si Canonicus decesserit, a die obitus sui per integrum annum habeat Prebendam suam cum omnibus fructibus et pertinentiis et commnnia sua cedat annuali suo faciendo per totum annum."—Mason, "Appendix," page 1.

In the year 1285 a number of questions were addressed by the Dean and Chapter of St. Patrick's to Dean and Chapter of Salisbury: "Item si Canonicus obierit, quid et quantum habere debeat de Prebenda sua? Item quid debet cedere in usus Canonicorum de Prebendis defunctorum."

The reply was: "Due partes Prebende Canonici defuncti, si decesserit ante mediam quadragesimam, cedunt in usus Canonicorum residentium, tertia parte remanente defuncto, de qua tertia parte tenetur ministrare stipendia vicarii sui. Si vero Canonicus obierit post mediam quadragesimam, habebit fructus sequentis autumpni, et preterea tertiam partem fructuum anni secundi: et Communia percipiet illo secundo anno duas partes, et de utroque anno respondebit defunctus vicario suo pro stipendiis."—Mason, "Appendix," pp. 2 and 3.

[4] *Vide* No. CXLII. In super et eis concessimus quod si contingat canonicum de ecclesia in fata discedere habeat potestatem legandi redditus suos per annum integrum post mortem pro anima sua, sive pro debitis suis solvendis.

[5] The Provincial Council of Mainz (1261) forbade the bequeathing of the fruits for the "Annus gratiae" to relatives, and ordained that they could be employed only in paying debts or for the benefit of the Church from which the Canon had drawn his revenue. (Brünnech, "Zur die Gnadenzeit," p. 5).

Chapter. He ordained that all Canons had full administration and disposition of all benefices, all prebends, spiritual revenues, and vicarships for one year after their deaths, and they could use this privilege either for the solution of their debts or for perfecting their wills; that is to say, they could bequeath them to whomsoever they liked.

But it was not alone Canons who had such privileges. In England for a long time other ecclesiastics enjoyed such a concession, and it was expressly confirmed by several bishops during the thirteenth century.[1] Hence, it is not surprising that Bishop Hubert should have expressly confirmed this privilege, not only for the Chapter, but also for Rectors[2] and for the Vicars.

In connection with this subject it might also be mentioned that Bishop Robert ordained that if any Canon of the Chapter of Limerick built a house, whether on the land of the Cathedral or on rented ground, and if he gave it over to the Church for the use of his successors, he

[1] *e.g.*, Synodus Exoniensis, A.D., 1287; Wilkin's "Concilia," tom. II., p. 389 sqq.

"Quadpropter laudabilem nostrae diocesis consuetudinem approbantes, statuimus ut quilibet beneficiatus nostrae Diocesis, si die Dominica Quadragesimae quacumque hora, vel postea decesserit, fructus beneficii sui subsequentis autumpni liberam legandi habeat potestatem, foeno, prato, pastura et cisera de dominico ecclesiae dumtaxat exceptis, quae cum ad annum sequentem pertineant, ipsi futuro rectori statuimus reservari, etc."

Idem., "Synod Wintoniensis," pp. 451, 452.

Statuimus insuper quod Rector ecclesiae, post diem Coenae moriens, quod integre fructus percipiet autumnales omnia onera ipsam ecclesiam contingentia sustineant usque in subsequens festum Coenae, A.D. 1308.

Idem. Synodus Norwicensi, sanno 1255.

"Walterus dei gracia Episcopus Norwicensis dilectis in Christo filiis universis abbatibus, prioribus, archidiaconis, officialibus, decanis, ecclesiarum rectoribus, vicariis, etc. Definimus, statuimus, precipimus, et concedimus, ut juxta antiquam consuetudinem, quam renovamus, redintegramus, approbamus et confirmamus, omnes rectores, et vicarii viventes die Paschae et ex tunc quicunque morientes usque ad Synodum sancti Michelis, de fructibus et obventionibus beneficiorum suorum libere, secundum Deum sua condant Testamenta. Salvis nobis et successoribus nostris fructibus Ecclesiarum ante diem Paschae vacantium, et in quibus rector die Paschae non reperitur institutus.

The same extension of this privilege is to be found sanctioned in Irish Synods, *e.g.*, Synod of Ferns (1240). Nos . . . consuetudine Dublinensi inhaerendo statuimus et ordinamus quod rectores et vicarii quacumque hora anni in fata decesserint, habeant omnes fructus et proventus beneficiorum suorum a die obitus sui usque in unum annum.—Wilkin's "Concilia," vol. I., p. 681.

[2] *Vide* No. LVII. Persona was used as equivalent to Rector (Du Cange). Hence, the English word "parson," used in the Protestant Church to designate the Rector.

had a right to half the expenses which he incurred, and could dispose of them as he wished.[1] Furthermore, he who got possession of this house, or of the lands on which the house was built, was obliged to pay to whomsoever it had been bequeathed or given this sum, (half the cost), and the cost was to be fixed by four Canons sworn to do justice in the matter. The successors of such Canons were to receive only half the fruits of the benefice and the other half was to be applied to the solution of this debt. There is a reference to this statute in a document from Thomas De Wodeford giving over to the Chapter his land and his buildings.

[1] The same privilege is found in Comyn's institution of "Chapter of St. Patrick." Mason, Appendix I. . . . Canonicus qui primus construxerit edifica in area sua, medietatem sumptuum positorum in edificiis suis relinquat in testamento in decessu suo cui voluerit. Qui vero substituetur ei in Prebendam, solvat pretium illius medietatis infra annum, et reliquam medietatem habeat gratis, etc.

CHAPTER X.

LIMERICK AND THE BISHOPS OF THE PROVINCE.

IN the Black Book there is no reference to a Provincial Council, nor to Provincial Statutes, except the slight reference (MS., p. 140), though, on the other hand, it is clear from it that the Bishops met together sometimes at Limerick. Thus to the foundation deed of Bishop Donatus we find appended the signature of the Bishop of the Province of Cashel.[1] The same is true of other transactions recorded in the Black Book.

In the year 1255 a meeting of the Bishops of the Province of Cashel was held, and probably at Limerick,[2] since the record of it is contained in the Black Book. The object of the meeting was evidently to curb

[1] *Vide.* No. CXLII. Testibus M. Casellensi Archiepiscopo, M. Cork, C. Clonensi, D. Rossensi, O. Ardfertensi, M. Imilacensi, F. Finaborensi, D. Waterfordiensi Episcopis, D. de Maio, V. de Mecharn, M. de Furio, Abbatibus, T. Waterford, G. Laonensi, G. de Magfenn Archidiaconis, S. de Sancta Katerina et R. de Sancto Edmundo Prioribus, et D. Decano Cassellensi.

At the Inquisition of De Burgo, there were present as witnesses C. Laoniensi, Daniel Rossensi, Episcopis, D. Laoniensi, Archideacono, G. Abbas de Sancto Senano. *Vide* No. XXIV.

In agreement made about Sengol by Hubert (1223-1250) we find amongst the witnesses, J Imilacensi Episcopo, G. Corkagiensi Episcopo. No. LII.

In document about Church of Rathgel we find the signature of Henry, Archbishop of Dublin, probably Henry de Loundres (1213-1228). *Vide* No. XCIV.

CXXVIII.—We find the signatures of D. Cassellensi, Archiep. Domino, M. Episcopo Laonensis, fratre Stephano Episcopo Waterfordensi tunc Thesaurario Hibernie.

No. CXXIX. The signature of John, Archbishop of Dublin, probably John Sandford (1284-1294).

No. CXLIX. The signature of D. Laoniensi Episcopo, is appended to a document.

No. CLII. To the grant of Thomas de Wodeforde, Dean, to the Chapter we find appended the signature of D. dei gratia *tunc* Archiepiscopo, domino M, Episcopo tunc Laoniensis, Johanni Clonfertensi Episcopo et apostolicae Sedis *tunc* in Hibernia nuncio.

[2] The fact that the document was preserved in the Archives of Limerick makes it probable that the meeting was held there, though, of course, it does not prove this conclusively.

the power of the Archbishop of Cashel. It was decreed[1] that whenever the Bishops of the Province, or the Maior et Sanior Pars of them, or even one of them with the approbation of the others, issued a sentence of excommunication, suspension, or interdict against any person or persons, in defence of pious customs, or ecclesiastical liberty, the Archbishop of Cashel should confirm these sentences, and should take pains to have these sentences observed till the Bishops were satisfied. The Archbishop pledged himself, in case he should fail to carry out this contract, to pay 100 pounds to be expended for the good of the churches of Cashel.

A Provincial Council for the Province of Cashel was held at Limerick in 1453, at which many important disciplinary decrees were passed. The portion of the decree of the Archbishop and clergy of Munster (MS., p. 140) referring to those things necessary for divine worship which should be supplied by the people themselves, in contradistinction to those which should be provided by the rector, corresponds in substance with the third decree of this Synod, though verbally they are quite distinct. It is not necessary to quote these decrees as they have been recently printed.[2]

In connection with the Procurations and Visitations of the Archbishop of Cashel we find two interesting documents, both from the year 1342. In the first it would appear that the Archbishop and his officials having made a Visitation of part of the Diocese of Limerick were obliged to leave, but on returning to finish

[1] No. LVI. Universis presentes litteras inspecturis vel audituris, David miseracione divina Cassellensis Archiepiscopus salutem. Noverit universitas vestra nos obligatos esse et bona fide promisisse venerabilibus fratribus nostris G. Imlacensi, R. Lymericensi, D. Clonensi, L. Corkagiensi, C. Ardfertensi, C. Fynaborensi, M. Laoniensi, T. Lysmorensi M. Rossensi, eadem gratia, Episcopis et W. tunc electo Waterfordiensi, quod quandocumque et quocienscumque predicti suffraganii vel maior pars eorum vel aliquis approbante maiori et saniori parti suffraganeorum sentencias, suspenscionis interdicti seu excommunicationis in aliquem in provincia Cassellensi pro libertatibus et piis consuetudinibus, in favorem ecclesiastice libertatis introductis rite tulerint vel tulerit quandocumque et quocienscumque super hoc fuerimus requisiti, predictas sentencias prout de iure ad nostrum spectabit officium. ratas habebimus.

[2] The Diocese of Limerick, etc. (Begley), 431-441.

the Visitation the Bishop of Limerick would not allow them to enter the Diocese, till they promised that this would not constitute a custom, or in any way give any new rights to the Archbishop not conceded in the Corpus Iuris.

According to the second document (1342), it would appear that when the Archbishop of Cashel went to make his Visitation of Limerick, the Bishop refused to admit him till he had made a Visitation of the other dioceses of the Province, as, according to custom, Limerick was the second last diocese of the Province in the order of Visitation. The Archbishop was forced to give a guarantee that this Visitation would not be in any way prejudicial to the rights of Limerick.[1]

In the MS. we find reference to a very curious document entitled—"Confederation between the Bishop and Chapter of Limerick and the Bishop and Chapter of Lismore." It is an agreement made between the Bishop and Chapter of Limerick, on the one side, and the Bishop and Chapter of Lismore on the other, in defence of the liberties and customs of their churches. They pledged themselves that in case of any attack they would mutually support each other in seeking a remedy, and the usual forfeit in case of default was fixed at forty pounds sterling. No names are appended to the document, nor is there any date or place mentioned, nor are there indications, names, etc., given which would assist us in determining the date; nor is it even clear, whether it was directed against the encroachments of the spiritual power, *e.g.* the encroachments of the Archbishop of Cashel, or of the temporal power.

But we know that G. Marisco was engaged in serious quarrels with the Church in the Province of Cashel.

(*a*) With Limerick, from Black Book MS., Nos. XXVI., CLVIII., CLVIII.

(*b*) With Killaloe, Theiner, No. 10, p. 5; No. 27, p, 11; No. 61, p. 25; No. 62, p. 25.

[1] *Vide* No. CLXXIV..

(*c*) With Cashel. Theiner's Min. Scot., No. xlvi., p. 19. In the inquiry about the damages done by G. de Marisco to the church of Limerick, it was the Bishop of Lismore conducted the inquiry; and it was he who was commissioned by Gregory IX. to inquire into the sentence of excommunication levelled by the Bishop of Limerick against Marisco. It may be in connexion with this that the Confederation was made.

Such agreements concluded between the Bishops and Chapters of different dioceses were not unusual in Ireland[1], and as can be seen from the accompanying extracts, were directed against the unjust demands of ecclesiastical as well as civil superiors.

A curious confederation of the churches for the defence of their rights was founded through the efforts of the Primate of Armagh, Nicholas MacMolissa (1272—1303).[2] At a meeting held at the Dominican House in Trim, on the Sunday of the feast of St. Matthew, 1291, a confederation of the Archbishops, Bishops, and Chapters of the dioceses where Chapters existed was formed to resist aggressions of the secular authorities, and to ensure that sentences of excommunication passed by individual bishops against offenders should be observed by all. It is in every respect similar in form to that found in the Black Book.

[1] Crede Mihi. "Register Book of Dublin": Gillbert, 1897, pp. 60, 61: "Notum sit omnibus Christi fidelibus presens scriptum visuris vel audituris quod Dublinenses et Cassellenses, Archiepiscopi et eorum suffraganei, de communi consilio et assensu capitulorum suorum unanimi, pensatis ecclesiarum suarum utilitatibus, sese sibi ad invicem fideliter obligarunt, sub forma subscripta, videlicet quod eorum singuli et universis ad ecclesiarum suarum libertatum et possessionum tuitionem contra Archiepiscopum Ardmachanum, maxime in causa primatie. salva fide et reverentia Sedi Apostolice et domino regi debita, mutuum sibi consilium praestabunt et auxilium nec eidem Archiepiscopo Ardmachano, absque communi consilio et assensu tamquam primati favebunt, obedient in aliquo vel parebunt. Sumptus quidem in predictis quocunque foro prosequendis equaliter sustinendo et inter Dublin. et Cassell. provincias dividendo. Compromiserunt etiam firmiter omnes supradicti quod quicunque eorum contra supradictam formam quocunque modo venire presumpserit, eandem formam fideliter observantibus quingentas libras nomine pene, persolvet, etc., etc."

[2] *Vide* Ware-Harris, p. 70. Stuart's "Historical Memoirs of Armagh": Stuart (Coleman), pp. 96, 103.

The Chapter of Limerick and the Archbishop of Cashel.

With their increase of power during the thirteenth century the Chapters claimed the right of administering the Diocese during a Vacancy.[1] This right had been recognised by many papal decrees, but was not admitted universally. It would appear as if the Archbishop of Cashel had always vindicated to himself the right of administering the Diocese of Limerick during an interregnum. But in 1302, relying upon the Instructions recently issued by Boniface VIII.,[2] the Chapter disputed the right of the Bishop of Limerick. It was agreed between them that the Chapter of Limerick permitted the archbishop to exercise his jurisdiction during this Vacancy without any prejudice to their rights; and that within a month both parties should despatch messengers to Rome to seek an interpretation of the new statutes. The Archbishop on his part agreed to hold only his usual Archiepiscopal Visitation, and abandoned his right of making an Episcopal Visitation, although he asserted his right to do so if he wished.

In Dublin (1296) the Chapter of St. Patrick complained that the Bishop of Ferns was interfering with their jurisdiction (Mason, p. 115), during the vacancy of the See, and the Pope ordered an inquiry. But in an agreement made in 1300 we see the Chapters had such jurisdiction:—"Item quod sede vacante Dublin dicta capitula habeant jurisdictionem Archiepiscopalem, et Archidaconi Archideaconalem. . . . Item quod statim cum devoluta fuerit jurisdictio, sede vacante, ad dicta capitula creetur officialis capituli secundum formam convencionis."—Mason, appendix No. 4.

[1] Hinschius, vol. II., pp. 232 sqq. [2] VIt. c. 3, 4, apud Hinschius loco citato.

CHAPTER XI.

POLITICAL INFLUENCES IN THE DIOCESE OF LIMERICK.

A GLANCE at the names of the Bishops and Chapter of Limerick at any particular time is nearly sufficient to indicate the dominant political power in the district for that period. Thus the period of Norse rule synchronizes generally with the period when the Bishops of Limerick were of the same race; the influence of the O'Brien family is represented by the Donatus O'Brien and the Irish clergy whom he appointed to his Chapter.

But when the Norman party had secured a foothold in Ireland, they adopted the same plan that had been already followed with success in their conquest of England a little more than one hundred years before. They tried to secure that none but Englishmen should be promoted to the Sees or to the Chapter; and though the laws passed[1] with that object were nullified by the Pope,[2] the same policy was continued for centuries.[3]

On the other hand, it must be admitted that the Irish clerics were not slow to defend themselves from such aggression, and they freely used the same weapons that were being employed by their adversaries.[4]

[1] "Calendar of Doc. I.," Nos. 736, 739.

[2] Theiner's Vet. "Monumenta, Hib. et Scot," p. 16, No. XXVI. Honorius III. to his Legate, 6th August, 1220.

Honorius Episcopus, dilecto filio magistro Jacobo Capellano et Penitentiario nostro apostolice sedis legato salutem. Pervenit ad audientiam nostram quosdam Anglicos inaudite temeritatis audacia statuisse ut nullus clericus de Ibernia quantumcumque litteratus et honestus existat, ad aliquam dignitatem ecclesiasticam assumatur. Nolentes igitur tante temeritatis et iniquitatis abusum surdis auribus pertransire, praesentium tibi auctoritate mandamus quatenus statutum hujusmodi publice denuntias irritum et innane, ac inhibes ipsis Anglicis vel inherere illi, vel simile de cetero attemptari presumant. Iberniensis clericos quibus vite ac scientie merita suffragantur, denuntias ad ecclesiasticas dignitates, si electi canonice fuerint, libere admittendos. Datum apud Urbemveterem VIII. Idus Augusti Pontificatus nostri anno quinto.

[3] *Vide* Supra Chap. III.

[4] *Vide* Bull of Innocent IV., 14 Sep., 1250 Rymer's "Foedera," Tom. I., p. 457.

Limerick was in an especial way under the English influence, and became at a very early period a Norman stronghold. Hence we find that King John, in the grant made to William De Breouse (1201) retained in his own hands the gift of the "bishoprics and abbacies" of Limerick;[1] and in 1207 when the See became vacant he ordered his justiciary to recommend Geoffrey of Dungarvan[2] to the clergy for appointment. Later still, when Henry III. granted freedom of election, Limerick was one of the Sees where the special permission of the King was required before an election could be held.[3] Hence, too, so many references in the State Papers to the Diocese and Church of Limerick at this period, while hardly any mention is made of some of the other dioceses.

A cursory examination of the list of the Bishops of Limerick from about the year 1207 is sufficient to indicate that the Norman influence was powerful enough to secure the appointment of clerics of their own race. Geoffrey and Edmund are, judging by their names, clearly Norman; so, too, Hubert De Burgh, Gerald Le Marchall, Robert of Dundonald, Eustace del Ewe, Maurice Rochefort, Stephen Lawless, Stephen Valle, were all Norman. Cornelius O'Dea is the first bishop after Donatus O'Brien who was certainly Irish. But his appointment was only an exception to the general rule, as his immediate successors were all Norman.

What is true of the Bishops is also true of the Chapter. When Donatus O'Brien founded the Chapter of Limerick, we see from the names that a good number bearing Irish names were selected.[4] But later on, as the influence of the Norman-English became greater, the proportion of Norman names in the Chapters is noteworthy. Unfortunately, in most cases, we have only the initial letter of the name given, from which no conclusion as to the nationality of the official indicated can be drawn, but from several entries where some of the

[1] *Vide* "Cal. of Doc. Ireland I.," Nos. 146-147. [2] *Idem*, No. 364. [3] *Idem*. (1227).

[4] The names of the Dean and Archdeacon are not given, but only the initial letters. The Cantor Omelinus was Irish; the Treasurer, William de Kardiff, English. Of the Canons whose names are given O'Lonneregan, O'Lonneregan, OConyng, OMalli, Doncuan O'Lonneregan, Macreanachain were all clearly Irish.

names are given in full it is clear that the Irish had very little representation in the Chapter.[1]

In connection with this question of nationality we may refer to another custom introduced by the English, and frequently condemned by the popes, in regard to civil trials. The Irish were supposed to have little regard for the sanctity of an oath, and hence in courts less attention was paid to their oaths than to those of Englishmen. The Archbishop of Cashel brought this practice under the notice of the Holy See and secured its prompt condemnation.[2]

[1] *e.g.*, No. LXXVII. Thomas (de Wodeforde) Dean, Guydo Chancellor Richard Brice, Treasurer; Gerald Archideacon, David Corubiensis, Henry Russell, Nicholas de Wodeford, Canons (1272).

So also in No. C. Also in No. CXX. Thomas de Clare David Cornubiensis, William Wees, Thomas de Cocis, Canons of Limerick. *Vide* action of Dominicans at Kilmehallok against the Bishop of Limerick (1291, : "Cal. Doc. I,." Vol. III., No. 967.) Those assisting the Bishop were Reymond, dean, Robert Blund, Archdeacon, and Simon Fitz John, Canons of Limerick, etc. *Vide* No, CXLVI.

[2] Theiner's "Monumenta," No. XXXVIII., p. 16. Honorius III., 1220. "Venerabilis frater noster Archiepiscopus Casselliensis exposuit coram nobis quod in provicia sua detestande consuetudinis vitium per Anglorum insolentiam inolevit, quod videlicet, si Anglicus aliquid de suis ammittat, et iurat illud ab aliquo Iberniensi furtim sibi esse surreptum, sex Anglicis iuramento firmantibus, quod credunt eius verum existere iuramentum, Ibernienses licet innocentes sint, et bone opinionis ac vite, suamque super objecto crimine innocentiam per triginta testes vel plures sint purgare parati, ad restitutionem coguntur nichilominus tamquam fures. Si vero aliquod Ibernienses ammittunt et pro certo sciunt, quod Anglicus surripuit illud eis, idque suis velint astruere iuramentis, Anglici eorum iuramenta recipere contradicunt, et sic utroque casu, conculcata iustitia ecclesiis ac eorum hominibus grave prejudicium generatur . . . Discretioni tue per apostolica scripta mandamus, quatenus non obstante prefata consuetudine, vel potius corruptela, quam censemus penitus abolendam dictis Anglicis, expresse inhibeas. ne tali de cetero attemptare presumant, et prorsus si huiusmodi perversitate cessantes, pusillum et magnum pari permittant judicio judicari, et examinari divitum causas et pauperum equa lance, cum in judicio interdicta sit acceptio personarum. Quid si contra prohibitionem tuam per abusionem huiusmodi aliquos presumpserint molestare, tu presumptionem ipsorum auctoritate nostra compescas."

The same is found in a letter of Honorius III. (1221). Theiner's "Monumenta," No. 46, P. 18. "Fuit etiam ex parte ipsius Regis (Henricus III.) propositum coram nobis . . . quod habito respectu ad Yberniensium feritatem, ne ulterius exprimatur, necessitate ac utilitate pensatis, extitit introductum et hactenus pacifice observatum, ut si forte Ybernensis furtim subripuerit aliquid Anglico, et iuraverit Anglicus cum sex aliis Anglicis, rem sibi fuisse ab Ybernensi subreptam, Ybernensis ad restitutionem rei subrepti cogatur . . . *Idem* Brief of Gregory IX. to Archbishop of Dublin. Theiner's "Monumenta," No. 74, p. 30. Custom condemned again in Brief of Innocent IV. to Archbishop of Cashel (20 July, 1252) Theiner, No. 150, p. 56.

In Limerick, about the beginning of the thirteenth century, the Norman-English power was not strong enough to adopt such a system, but on account of the three elements in the community, Danish, Irish and Norman, care had to be taken not to offend the feelings of any parts. As a good illustration of this we have the Inquisition taken by Miles Fitzhenry, Justiciary of Ireland, in 1201, where the jury empanelled to try the case consisted of twelve Englishmen, twelve Irishmen, and twelve Danes.[1] But, later on in the same century, we learn that a dispute having broken out between the Bishops of Limerick and Killaloe regarding the land of Donathmor, it was agreed to submit the case to a jury of *twenty Englishmen*, ten to be selected by the one side, and ten by the other. If any of those selected refused to act, he was to be compelled, under censure, by the Vicar of Limerick.[2]

[1] *Vide* No. XXIV. [2] No. XLIX.

CHAPTER XII.

THE BISHOP OF LIMERICK AND THE ROMAN CURIA.

THERE are some documents in the Black Book which help to throw light on the financial relations of some of the Irish Bishops with the Roman See. From about the thirteenth century bankers from the great Italian cities were accustomed to advance money to Bishops or the Bishops' representatives if they required it. The Bishop pledged his church to pay off the debt, and the Holy See guaranteed full payment, and employed the censures of the Church in case of necessity to enforce it. Besides, in another way the Holy See was connected with the Italian, especially, with the Florentine bankers. The taxes levelled by the Popes during the thirteenth century for the Crusaders, and to carry on the war against Frederick II. were collected in the different countries by Roman officials. Accompanying these Roman officials, or in the vicinity of their sphere of operations, were the Italian bankers who took charge of the money and transported it to Rome, receiving a certain percentage as their reward.[1]

In England, too, these Italian money-lenders assisted the Bishops and clergy to meet the heavy Papal taxes by lending them money, and some of the English chroniclers speak of them in no uncertain terms. The Italian collectors were scattered through England, Ireland,

[1] *Vide* Schulte A. Geshichte des mittelalterlichen Handels und Verkehrs Zwischen Westdeutschland und Italien I. Band, pp. 231, &c. G. Schneider, Die finanziellen Beziehungen der Florentischen Bankiers Zur Kirche von 1285 bis 1304. Leipzig, 1899, Gottlob, Papstliche Kruezzugssteurn des 13 Jahrhunderts.

The earliest example of Roman merchants appearing as creditors of a German Bishop is year 1204. Bishop Dietrich, of Utrecht, borrowed 1,200 silver marks, and died without paying it. Innocent III. warned his successor to pay this debt; the creditors again fixed the time, and a Papal Legate even excommunicated the Bishop for his refusal to pay. Schulte ut supra, p. 247.

and Scotland to collect the taxes so frequently levied by the Holy See during the thirteenth century.[1]

Many of the Irish Bishops, too, in their need for money to meet their obligations in Rome, applied to the Curia and got a recommendation

[1] "Matthew of Paris," "Chronica Majora," vol. II., III, IV. "Register S. Osmundi." Roger Wendover. "Henry III. and the Church," Gasquet, 1905. Theiner's "Monumenta Scotorum." Taxes were demanded by Honorius III. for Crusade, 1227. "Reg., S. Osmundi" (II., 77), Gasquet, p. 110. In 1229 a demand of one-tenth for war against Frederick II. Stephen of Anagni was sent as Papal Collector, and the collection appears to have been carried out in a most offensive manner. "Matthew of Paris, III.," p. 188; Baier, Papstliche Provisionem . . . bis zum jahr, 1304. 1905. Haller, Papsthum und Kirchenreform. *Vide* "M. of Paris," Vol. III.

"Praeterea habuit idem magister Stephanus quosdam secum foeneratores nequissimos, qui se mercatores appellabant, usuram sub nomine negotiationis palliantes, qui egentibus et exactionibus vexatis optulerunt pecuniam, et urgente memorato Stephano sub poena gravissima coacti multi mutuo accipere, qui postea in laqueos eorum inciderunt dampna irrestaurabilia incurrentes (p. 189). Ex eo autem tempore non defuerunt in terra Anglicana quidam transmontani, qui se mercatores nominant, usuarii impiissimi, qui nihil aliud quaerunt, nisi in laqueis suis praecipue quos Romana Curia angariat, illaqueare. Et sic abrasor pecuniarum magister Stephanus, domini Papae capellanus, Anglis foeda reliquit vestigia. Solus autem comes Cestrensis Ranulphus stetit viriliter nolens terram suam redigere in servitutem, nec, permisit de feodo suo veros religiosos vel clericos decimas memoratas redigere in servitutem quamvis Anglia et Wallia, Scotia et Hibernia ad solutionem compellerentur."

In 1234 there was another urgent demand for money from Gregory IX., an appeal for funds for the Holy Land, and also against Frederick II. "Matthew of Paris," vol. III., pp. 279-280.

"Dominus enim Papa occasionem sumens a predicta Imperatoris persecutione argumentosas extorsiones praecipue in Anglia excogitans et multiplicans, legatos sub specie simplicium nuntiorum, potestatem habentes legatorum, undique destinavit, qui multiforiam exegerunt pecuniam nunc praedicando nunc supplicando, nunc praecipiendo, nunc comminando, nunc excommunicando, nunc procuraciones exigendo, per regnum Angliae infinitos extorres reddiderunt et mendicantes."

Also demands in 1240. "Matthew of Paris," vol. III., p. 328-899. Invaluit autem his diebus adeo Caursinoram pestis abominanda, ut vix esset aliquis in tota Anglia nomine prelatus, qui retibus eorum jam non illaquearetur. Etiam ipse rex debito inaestimabili eis tenebatur obligatus. Circumveniebant enim, in necessitatibus indigentes, usuram sub specie negotiationis palliantes, et nescire dissimulantes, quodquidquid accrescit sorti usura est, quecumque nomine censeatur. Forma Caursenorum obligandi debitores indies tamen ingravescent, etc.

In 1239 an appeal came from Gregory to Otto, the Legate, to secure money for struggle against Frederick II. He suggests 1-30th of revenues of the clergy. MS. Brit. Mus. apud Gasquet, p. 178. Again, 1244, Alex. IV. sent Martin to England, and gave him great powers of suspending and even excommunicating those who would refuse. "Matthew of Paris," vol. IV., p. 385. Gasquet, p. 214. In 1246 a new money demand for Crusade. Registers, No. 2018, apud Gasquet, p. 263. "Matthew of Paris," vol. IV., p. 580. Similar demands were made all during the thirteenth century; 1263, 1274, 1281, 1284, 1291, 1304, etc. *Vide* "Calendar of Pap. Doc.," vol. I.

to some firm of Italian merchants.[1] The sums borrowed were often very large, and it was necessary at times to enforce payment by threat of censure.

Hubert, Bishop of Limerick, (1223-1250) was involved in serious difficulties with the Holy See. In 1227 a letter was sent by Gregory IX. (April 24) to the Bishops of Clonfert and Enachdune, and the Abbot

[1] The Procurators of the Bishop of Cashel (David) were in Rome in 1254, to defend his election by the Chapter. They required money, and they got from Innocent IV. (7 August, 1254), permission to borrow money up to five hundred marks sterling. "Nos vestris precibus inclinati, contrahendi mutuum propter hoc usque ad summam quadringentarum marcarum sterlingorum novorum, et obligandi creditoribus bona dictorum Electi et Capituli Ecclesie Cassellensis . . . . teneantur ad penam dampna et expensas, interesse, si in termino ab ipsis contituto pecuniam non solverit memoratam."—Theiner CLXV., p. 61.

A month later (9 Sep., 1254), Innocent IV. sent a letter to the Papal "judices" in England. "Significarunt nobis Bonifacius Bonsignoris, Bernardinus Prosperini et Aldebrandus Ildebrandi ac eorum socii, cives et mercatores Senenses quod ipsi Johanni Thesaurario et Kieran Canonico Cassell, quas mutuarint pecunie summas." He orders them to see that this money is paid, and if not, to use the censures, excommunication and interdict to enforce payment.—Theiner CLXVII., p. 62.

Again in 1258 (21 Dec.), Alex. IV. gave Abraham, Archbishop of Armagh, permission to borrow five hundred marks sterling. "Ita tamen quod tu et successores tui ac ecclesia Armachana teneamini ad huiusmodi pecuniam persolvendam, et ad penam dampna expensas et interesse si in termino a te statuendo pecuniam non solveris."—Theiner CCVII., p. 80.

29 April 1259, Archbishop and Chapter of Tuam got permission to borrow 2,400 marks sterling in order to meet the expenses of the business that brought them to Rome. In 1263 (Nov. 8), Urban IV. writes to John, Papal Legate in England, not to urge the payment of a thousand marks borrowed from Florentine merchants by the excommunication which he had got power to level against the Archbishop of Tuam for non-payment from Pope Alex. IV.—Theiner CCXXXI., p. 90.

Again in 1307 (6 August), permission was given by Pope Clement V. to Walter, the newly elected Archbishop of Armagh to borrow a sum of money. "Ut usque ad summam quatuor millium florenorum mutuum contrabere possit."—Theiner CCCLXXXI., p. 176.

In 1313 Malachy was appointed Bishop of Elphin, and permission was given him to borrow money by Pope Clement V. "Ut usque ad summam mille florenorum auri mutuum contrabere."—Theiner CCCCI., p. 187.

In 1324, John XXII. granted to the Bishop of Ardagh permission to borrow "usque ad summam sexcentorum florinorum auri."—Theiner, No. 455, p. 229.

In 1322 the Archbishop of Dublin made an agreement, which was confirmed by John XXII. that he should be absolved from the excommunication which he had incurred on account of non-payment of certain sums of money which he received, and agreed to pay the amount at stated times, and that if he did not he should again incur the excommunication. This was confirmed by John XXII., 25 March (1322). *Apud.* Theiner, No. CCCCXLIV., pp. 217-218.

of Parvacella, to inquire into certain charges that had been made against Hubert, the Bishop of Limerick, during the reign of Honorius III. Probably in connection with this trial, and possibly also to meet the Papal taxation (1227-1229)[1] Hubert was forced to borrow money from Italian merchants.[2] We find a composition made by a Roman banker, Caranzone, between Bishop of Limerick and Stephen Manetti and his associates.

The date of this composition can be fairly accurately determined by reference to another document dealing with the relations between the firm of Manetti and Hubert, Bishop of Limerick. On 20th February, 1229, Stephen Manetti confesses to have received from Thomas of Cornwall and Geoffrey FitzReginald 60 marks sterling of the 166 marks which, according to the composition made between Caranzone and the Bishop of Limerick, were due by the Bishop to the firm of Manetti, leaving still 106 marks sterling to be paid.

We may infer from another document that this composition was not carried out,[4] and that the Bishop was excommunicated by the

[1] These papal taxations have been enforced very severely in Ireland (*vide* "Matthew of Paris," supra).

[2] The firm of Manetti was evidently a Roman firm. This is rather unusual to meet with in connection with these borrowings.

[3] The document is found No. LXIX.: "De solucione in Curia Romana per Episcopum Lymericensem."

With regard to this; first, it seems more probable that the Bishop of Limerick made this composition not in *Rome* but in *London*. The Manetti firm had, probably, a house, "juxta pontem London" (No. CLXII.), and there we find Carazone (No. CLXII). Besides, it is absolutely certain from the letter addressed by Gregory IX. (1237) to Otto, the Cardinal Legate, to inquire into the charges made against the Bishop of Limerick, that he had not gone to Rome since the order for inquiry against him had first come in 1227, Theiner, No. 95, p. 38.

[4] *Vide* No. CLXII. CLXIII. CLXV.

This excommunication must have been levelled against Hubert, not on account of the charges made against him, but on account of the non-payment to Stephen Manetti, because, otherwise, there would be no meaning in the reference made to the Composition before the Papal Writer. Besides this composition, as we shall see, was made before the coming of the Papal Legate, Otto (1237), and in the year 1238, Otto was commanded to proceed against the Bishop on account of these charges, and no reference is made to any trial, or defence. or composition made in Rome.

Secundum quod in compositione inter me et predictum T. Coram M. Berardo *indice in hoc* facto delegato, No, CLVI.

Roman Curia, more probably for non-payment, and a new composition entered into in the presence and with the sanction of the Papal Judge.

What was the nature of this new composition? When was it made and by whom? Another document,[1] which states that Stephen Manetti received from the Bishop of Limerick 160 marks according to the composition made before Bernard de Socia, Papal Scriptor, shows us the nature of the composition; and still another document telling us the year in which the payment was made determines approximately the date at which this composition was entered into.

Cardinal Otto was then Legate. He became Legate in 1237, and it was in the first year of his Legateship that this payment was made, as we shall see from the next document.

Otto came as Legate about July or August, 1237. Hence the payment was made and completed in November, 1237. Therefore, the note of receipt, witnessed by Otto, from Stephen Manetti to Bishop of Limerick, was in the year 1237.[2]

Now the curious question arises, why should 160 marks have been paid. In 1229, we have seen, that the Bishop of Limerick owed only 106 marks. Nearly eight years and a half had elapsed since that, before payment had been completed, and probably about seven years before the composition was made before Bernard de Socia, by which the Bishop bound himself to pay these 160 marks. Hence, as interest, &c., 54 marks had been added to the principal, or, in other words, 8 marks per year, or about 8 per cent. yearly, had been allowed by the Papal Judge to cover expenses, loss, etc.

But during this time (1230-1237) Bishop Hubert had transactions with another firm of Italian merchants.[3] On this occasion it was a Florentine-Roman firm. There are four documents bearing on this transaction

[1] *Vide* No. CLVI.

[2] *Vide* Die Legation des Cardinalos Otho. Weber, Berlin, 1883, p. 18.

[3] This, evidently, has no connexion with the other transaction, because, as the documents prove, it was paid according to the agreement, and at a time either before or contemporary with the *disputes* about the other payment (1235-1237).

contained in the Black Book, all relating to payments. The names of the money-lenders were Bernardus Rusticii, Andreas Millarius, Juvenalis Manetti, Mattheus Bonesalti, Maynerus Bellioci, "sociisque suis mercatoribus Romanis et Florentinis." The first document is dated 1234 (July),[1] and acknowledged the receipt of 64 marks sterling as a "prima solucio," as a satisfaction for both "principale" et "accessorium" according to the composition made.

The documents bearing on the second payment are not found, but these bearing on the third,[2] fourth,[3] and fifth[4] are contained among these in the Black Book. The only thing to be noted is that in the other payments only 60 marks were paid, and not 64 as in previous case. The reason of this apparently is that they were paid up promptly at the date fixed;[5] the first was delayed for about two months, and four marks had to be paid as interest, &c.

Was there any interest, &c., charged on these loans by Italian merchants? This is an interesting question in connection with them. In the first place it should be noted that the forms used are very indefinite,[6] merely that the Bishop is bound to pay so much. They do not

[1] *Vide* No. CLX. [2] No. CLIX. [3] No. CLXIII. [4] No. CLXIV.

[5] The first payment should have been made on the fifteenth day after Easter but as a matter of fact it was made only in the *month of July*. "Actum apud Novum Templum London Pontificatus domini Gregorii Pape noni *anno octavo mense Julii* (No. CLX.). The third was to have been made on 15th after Easter and was paid *in May* (Anno nono Pontif. Greg. noni mense May, No. CLIX.). The fourth on the fifteenth day of the Feast of St. Michael (29 Sept.), and was actually paid in the month of Sept. (No. CLXIII.). No dates are given for the payment of the fifth. This proves fairly clearly that the four marks additional in the first were added for the two or three months delay in the payment. This rate, as is evident, would be a very high rate of interest, at least over 30 per cent.

This fifth payment was last, and satisfied all obligations to this firm of money-lenders. "Quietum autem clamansus predictum episcopum et successores suos et ecclesiam Lym. a tota pecunia cum dampnis et expensis in qua predictis mercatoribus quocumque modo tenebantur." No. CLXIV.

[6] *Vide* Schulte, Geschichte des Mittelalterlichen Handels, etc., I. Band pp. 266 sqq. "In den Schulurkunden selbst ist meist eine forme gewahlt, welche nicht etwa erklart; die und die summe haben wir bar erhalten sondern es heist, man sei schuldig geworden, so und so viel zu bezahlen." He cites some cases where he contends it is clear that the interest was added to the principal, and the borrower pledged himself for the whole sum. *Vide* "Schneider Die finanziellen Beziehungen," etc., pp. 55 sqq.

state how much the Bishop actually received.[1] Secondly, the expressions used in the documents themselves seem to point to interest.[2] While thirdly, the reckoning of the sums paid seems to point to the same conclusion.

[1] *e.g.*, inquibus Episcopus et Ecclesie mihi, etc., tenebantur (No. CLVI.) quae summa centum et ex sex marcarum dictus Episcopus tenebatur solvere (No. CLXII.) in qua predictis mercatoribus quocumque modo tenebatur.

[2] Confiteor enim de omnibus tam principali quam accessorio mihi pro episcopo et ecclesia Lym. fuisse per omnia satisfactum (No. CLVI.) Confiteor enim dictorum mercatorum nomine mihi de omnibus tam de principali quam accessorio solucione supradicta, etc. (No. CLIX.). *Idem*, Nos., CLX., CLXII.

It is noteworthy that No. CLVI., where the expression "principale et accessorium" is found, it refers to a composition that had been made before a delegate of the Holy See. "Coram Bernardo de Socia iudice domini Pape in hoc facto delegato" and hence it would seem that in this year (1236) this delegate judge allowed the taking of interest. Besides the sums paid suggest the opinion that money was taken either by way of "dampna" "expensae" or "interesse" by these Italian merchants.

In the transaction with Stephen Manetti we have seen that in the first composition made by Caranzone the whole sum was 166 marks. These six marks, which are mentioned in a very special way—a special term had been arranged for their payment—would seem to suggest that they were interest on the loan. The Bishop paid 60 marks in 1230, leaving 106 to be paid, and when we next hear of the transaction—in the trial before the Papal Judge—the debt stands at 160 marks. This second composition was made apparently about the beginning of 1237, or end of 1236, so that for six years delay a sum of 54 marks were apparently added to the principal.

Again, in the dealings with the Florentine merchants we have seen that the whole sum was paid off in payments of 60 marks each, and one payment of 64 marks. On examining the matter we found that where only 60 marks had been paid, the payments had been made promptly according to the agreement, but in the case where 64 marks were paid, the payment had been delayed two or three months after the term. Hence we concluded that the four marks in the case were the money that had to be paid under the name of "dampna et expensae" for the period that elapsed between the term fixed and the actual payment.

CHAPTER XIII.

SOME REFERENCES TO LIMERICK IN THE PAPAL AND STATE PAPERS (13th Century).

1178-79.—Robert FitzBernard renders his account for the passage of Brictius, Bishop of Limerick, with other Irish Bishops on their way to the General Council. Another account of 10s. for passage of Bishop of Limerick from William Fitzysabell and Ernulf Buzell.—"Cal. of Doc. I.", Nos. 56-57.

1200, 1st. Nov.—The King grants and confirms to the abbey and monks of Magio (May) the lands which they have of the gift of the King's ancestors, of their benefactors since the King arrived in Ireland and of the Kings and Princes as well of the Irish, as of the Franks to hold in frankalmoign free from all secular service according to the liberty of the Cistercian Order, viz., Kenelmegan, where the monastery is situated, Athecrokain, Cealconata, Cealcongi, Athen, Ceallmor, Cluaincollam, Cluain Mescradin, Baliidubdi, Baliiduban, the grange of Briddain, Cluain Melrach, Ceall Mecceril, Balitarsim, Cathirnachongearr, Baliiedain, Baliiriagan, the grange of Nahava, Enachchuli in Corbali, Culocdir, Bali Idubguirim, Leasswaribin, Baliisoder, Cluain Crectain, Cluain Ichadin in Taballgort, Iglassain, the grange of Coracoimgillain, Bali Icarrig, Balli Ieda, Bali Ichunin, Bali Ibrenain, Bali Isatchill from the marsh on the east of the grange by the river on each side to the foot of Denndirg, Onruadmon Icarrig to Gortnaren Ifedomair, the grange of Naglochmib, Bali Idub, Leasconmaig, Leasciarmocan, Bali Idelgussa, Magnahengi, from the ford of Scivil towards the east with the whole marsh of Kilkillin and of Keallkillin, the grange of Cathircormi, Salcuarain, Bali Ichudin, Bali Inacalligi, from the ford of Crether to Crangulligin, Makelkellan and the ford of Seagainlaig, the grange of Locgier, a moiety of Dungeir, the island which belongs to the vill of Locgier, Finnen, Corthascin Clughur, Cromcon, the mill of Almarain, with its lands of Arddarigan, Greal Laochilonbegan to Catercurrith, Rathean, Liamin, Cathirflenn, Magdorach, the grange to Camuis, Ceallseanig, Bali Ichearbain, Bali Ilemi, Bali Icunen, Conacad,

Ceallconnill with its appurtenance to Tulachbracci, Brug, Cathircuain, and Chillconnill, the grange of Intlevi, Ceallcrumtirlapan, Cuillean in Corbali, Bali Imelinnan Cuthicathil, Cealcodigil, Cealladlach, in Rapalach, Cellpian, Lathrachlami, Bali Igerridir, with its appurtenances from the river Gleannoneolain where it enters Isinbecthig to Imleachdregingi, to Cillnarath as the Samir runs, viz., Tulachmin and hence to the river Darachmuchua, and the Court of the monks in Limerick with its appurtenances to wit Bearninnalith.—"Cal. Doc. Ireland I." No. 136.

Dec. 5, 1207.—The King writes to Miler Fitzhenry, justiciary of Ireland, saying that he has granted the vacant See of Limerick to Geoffrey, Rector of Dungarvan, and requesting the justiciary to recommend Geoffrey to the clergy of Limerick ("Cal. of Doc., Ireland, I."-No. 364).

1211, Non. Jan.—Mandate to the bishops of Kilfenora and Killaloe and the Abbot of Maigue, in the diocese of Limerick, to enforce the Pope's sentence quashing the election of W. Canon of Emly, as Bishop of Emly.—"Cal. of Papal Registers, I." p. 36.

1213, 13 Kal. May.—Papal Letters, addressed amongst others to the King of Limerick, notifying him that the Pope is going to convoke a general Council.—"Cal. of Papal Registers, I." 38.

1215, July 5.—The King grants to Edmund, Bishop of Limerick, an annuity of 10 pounds weight of silver receivable at the Exchequer, Dublin, out of the rent of the assize of Limerick in exchange for the site of the mill and the fishery of Limerick which the bishop challenged against the King. The bishop quit claims to the King the land of Drunnannolub, given to the bishop by the King's predecessors, and 10 marks which the bishop used to receive at the Exchequer in exchange for the lands.—"Cal. of Doc. Ireland, I." No. 589.

1215, July 7.—The King commands the Treasurer and Chamberlain of the Exchequer to cause to be paid to Edmund, bishop of Limerick, and his successors 10l. yearly out of the farm of Limerick according to the tenor of the King's Charter.—"Cal. of Doc. Ireland, I." No. 617.

1216, July 30.—The King commands Geoffrey de Mareys to cause Edmund, bishop of Limerick, to have his arrears of an annuity of 10l, payable at the Exchequer.—"Cal. of Doc. Ireland, I." No. 710.

1216, July 31.—Mandate to Geoffrey de Mareys, to assign to Edmund, Bishop of Limerick, 10 librates of land within or without the cantred of Limerick, in lieu of an annuity of 10l. payable at the King's Exchequer.—"Cal. of Doc., Ireland, I." No. 713.

1217, Jan. 23.—Protection for the Bishop of Limerick; he shall not be impleaded concerning any of his tenants save by King's special order. "Cal. of Doc. Ireland, I." No. 753.

3 Non. Jan., 1218.—Mandate to the Archbishop of Tuam and the Bishops of Clonfert and Aghadoe to inquire about the intrusion of D. into Killaloe, and that his consecrators, the Bishops of Limerick, Emly, and Waterford, should be punished.—"Cal. of Paper Reg., I." p. 50.

1219, 4 Kal. Nov.—Mandate from Honorious III. to the Archbishop of Dublin, about intrusion of D. into Killaloe, and his consecration by the Bishops of Limerick, Emly, and Waterford.—"Calendar of Papal Registers, I." p. 68.

1220, 2 Kal. August.—Papal mandate addressed amongst others to the King of Limerick to receive James as Papal Legate.—"Theiner Vet. Mon. Hib. et Scot." 15.

1222, Oct. 20.—Writ of liberate to E., treasurer, and F. and W., chamberlains, to pay out of the King's Treasury, to Edmund, Bishop of Limerick, 5 marks as a loan.—"Cal. of Doc. Ireland, I." No. 1056.

1223, March 11.—The King notifies the Archbishop of Dublin that he commits during pleasure the custody of the vacant Bishopric of Limerick to the Prior of Athissel, to answer therefor at the Exchequer. —"Cal. of Doc. Ireland, I." No. 1090

1223, April 27.—"The King notifies the Dean and Chapter of Limerick that he grants to Geoffrey de St. John the Treasurership of the Church of Limerick, resigned by John de St. John, with the prebend attached to this office. These belongs to the King's gift owing to the vacancy of the Church. "Cal. of Doc. Ireland, I." No. 1100.

1225, April 21—The King grants to Hubert, bishop of Limerick, a weekly market on Tuesday, at his manor of Muntgaret (Mungret).—"Cal. of Doc. Ireland, I." No. 1262.

1225, April 27.—The King grants letters of protection for two years to Hubert, bishop of Limerick.—"Cal, of Doc. Ireland I." No. 1277.

1226, 7 Ides May.—Papal Mandate to the Archbishop of Cashel and the bishop of Limerick to inquire into the disputed election in Killaloe.—"Theiner Vet. Mon. Hib. et Scot." No. 25.

1227, 8 Kal. May.—Papal commission to the bishops of Clonfert and Enaghdune and the Abbot of Parva cella, to inquire and report on the case of the bishop of Limerick (Hubert), who is said to be illegitimate, simoniacal, ignorant and disobedient to the metropolitan.—"Theiner l.c." No. 27.

1227, July 16.—Mandate to the justiciary of Ireland to cause Hugh [Hubert], bishop of Limerick, to have custody of the Archbishopric of Armagh. The King had begged the clergy of Armagh to elect Hugh [Hubert] as their Archbishop.—"Cal. of Doc. Ireland, I." No. 1531.

1230, April 28.—Insperimus and confirmation of the Charter of Edmund, formerly bishop of Limerick, granting in fee farm to John de St. John the lands of Omayl, which 10 carucates were given to the bishop in compensation for the damage done to him by the construction of the King's mills and fisheries at Limerick. He is to pay 15 marks of silver yearly, and 20lbs. of wax, or 10s. yearly to the Cathedral of Limerick.—"Cal. of Doc. Ireland, I." No. 1812.

1231, May 20.—The King writes to Pope Gregory IX. that the bishops of Ireland strive to deprive him (the King) of the liberty enjoyed by himself and his predecessors of having the custody of vacant Sees, and that the bishops are about to send the bishop of Limerick to the Court of Rome to effect this, and the King begs the Pope to refuse their petition.—"Cal. of Doc. Ireland, I." No. 1890.

1235, 8 Kal. May.—Papal Mandate to the bishops of Limerick and Emly to receive the resignation of the bishop of Ardfert, to assign him a pension and to provide for a canonical election.—"Theiner l.c." No. 31.

1235, June (?)—Hubert, bishop of Limerick, writes to the King about the oppressions and injuries to the Church of Limerick inflicted by Geoffrey de Marisco.—"Cal. of Doc. Ireland, I." No. 2267.

1235, June (?).—Griffin, bishop of Lismore, writes to the King that he has received a mandate from Gregory IX. confirming the excommunication pronounced by the bishop of Limerick against Geoffrey de Mareys, that he himself has inquired and satisfied himself of the justice of the sentence, and begs the King to avoid Geoffrey as excommunicated.—"Cal. of Doc. Ireland, I." No. 2268.

1236, Nov. 14.—Geoffrey de Mareys writes to the King that his outlawed son, William, held of Geoffrey the land of Kylmehalloc and Geoffrey held it of the bishop of Limerick, and the latter caused the justiciary to seize it as his escheat, but as this is contrary to the custom of the country, the King commands Maurice Fitzgerald to give seisin of the land to Geoffrey.—"Cal. of Doc. Ireland, I." No. 2367.

1238, 3 Non. March.—Mandate to Cardinal Otto, Papal Legate, to proceed against the bishop of Limerick according to the letters addressed to the bishop of Enaghdune, etc. The bishop refused to undergo inquiry at the hands of the former judges.

1243, Oct. 28.—The King commands Maurice Fitzgerald, justiciary, not to interfere if the Archbishop of Cashel should sue Hubert of Limerick, Griffin of Lismore, D. of Killaloe, Brendan of Ardfert, and Christian of Emly, touching the spirituality of their Sees, but not to permit the Archbishop to disturb them in the temporalities.

1246, 7 Kal. Nov.—Papal mandate to the bishops of Limerick and Killaloe to admit the postulation of the bishop of Cloyne to the See of Lismore, if he has been canonically elected.—"Theiner l.c." No. 45.

1247, 15 Kal., May.—Papal mandate to the Archbishop of Cashel and to the bishop, dean, and archdeacon of Kildare to compel the bishop of Limerick to resign, he having refused to do so, alleging a special privilege of Pope Gregory (IX.), though he had asked Pope Gregory to receive his resignation.—"Theiner, l.c." No. 46.

1248, 17 Kal., April.—Papal mandate to the Archbishop and Archdeacon of Dublin, to revoke sentence pronounced against John de Frusinone (papal collector), by the bishops of Achonry and Killala, under pretext of Papal letters obtained by the bishop of Limerick.—"Cal. of Papal Registers, I." 253.

1250, Nov. 4.—Licence to the Dean and Chapter of Limerick, by Thomas, Dean of that Church, to elect a Bishop.—"Cal. of Doc. Ireland, I." 3087.

1251, April 11.—Royal Assent to the election of Robert, Archdeacon of Limerick, as bishop of this Church. Mandate to the Archbishop of Cashel to do what is his in this matter.—"Cal. of Doc. Ireland, I." 3118.

1251, April 29.—The Archbishop of Cashel having cited the bishop-elect of Limerick to appear before him in the Church of Limerick, on Thursday after the Passion of our Lord (March 30) stating that if he found the election to be canonical he should confirm it, notwithstanding the King's dignity, he was enjoined by the King to revoke all that he had done prejudicial to the King, and Richard of Rochelle, was ordered to seize the Archbishop's temporalities if he did not obey.—"Cal. of Doc. Ireland, I." No. 3125.

1253, 16 Kal. Sept.—Papal Mandate to the Bishops of Limerick, Killaloe, and Emly, to enquire about election of Brendan in Ardfert, and if they found it canonical to confirm it.—"Theiner, l.c." No. 58.

1252, Jan. 2.—The King commands the justiciary to give Robert Elect of Limerick the seisin of the temporalities of his See, having taken from him the oath of fealty.—"Cal. of Doc. Ireland, II." No. 1.

1272, Oct. 21.—The King, at the prayer of William of Jacton, Canon of Limerick, grants to the Chapter permission to elect a successor to Bishop Robert, lately deceased.—"Cal. of Doc. Ireland." No. 928.

1273, Jan. 11.—The King confirms the election of Gerald, Archdeacon of Limerick to the Bishopric of Limerick.

1275, Nov. 22.—Inquisition taken at Limerick on Friday, after the Feast of St. Edmund, martyr, before the following jury:—Sir Eustace

de Rupe, Robert Purcel, Robert the Cupbearer, William de Weys, John Fitzrobert, Reginald Scyrmissor, Laurence Black, Roger White, Simon Mereduc, Walter of Wodeford, Robert Keting, Adam Breheynio, Richard Leynhac, Alex Wole, Richard Brakely, Simon de Watere, William le Wilde, Robert Brun, John Wodeforde, Thomas Fitzobie, William Fitzely, Richard Fanyn, David l' Enfant.—"Cal. of Doc. Ireland, Vol. II." No 1181.

1281, Hilary.—Bishop Gerald of Limerick, fined 20s. for not appearing.—"Cal. of Doc. Ireland, II." No. 1780.

1285, June 25.—Confirmation of the Grant of 25 marks yearly to Dominicans of Limerick whose house was founded by the King's ancestors and himself, with an additional grant of 10 marks yearly.—"Cal. of Doc. Ireland, III." 97.

1286, 4 Id., July.—Papal mandate about the disputed election in Tuam. Five of the seven canons deputed to make the election voted for Nicholas Machin, Canon of Tuam, the others for friar Malachi of the Minorite Convent in Limerick.—"Theiner l.c." 135.

1290, June 12.—The King grants letters of presentation to Roger de Insula for the Church of Bunratty, in the Diocese of Limerick.—"Cal. of Doc. Ireland, III." No. 676.

1290, 3 Non. March.—Indult to John Blondel, Canon of Limerick to hold his canonry besides the Church of Nidderfield in the diocese of Worcester.—"Cal. of Papal Registers, I." 592.

1291, Oct. 3.—The King writes to William de Vesey justiciary that the Dominicans had complained to him that having taken possession of a portion of land in Kilmallock given to them by a burgess of that town they were violently ejected by the Bishop of Limerick. An Inquisition was held at Cashel (20 Dec. 1291) and the jury decided in favour of the Dominicans.—"Cal of Doc., Ireland, II." No. 967.

1303, 13 Kal. August. Papal mandate to the bishops of Limerick, Killalloe, and Kilfenora, to enquire into the dispute between the Archbishop of Dublin and the dean of Enaghdune.—"Theiner l.c." No. 171.

CHAPTER XIV.

GENERAL INDEX TO THE ITEMS CONTAINED IN THE MANUSCRIPT (bis. 1362).

I.—Inquisition about the rents of Donathmor and Kylpchan.

II.—Agreement in the King's Court between Gerald bishop of Limerick and Roger Fitz David and his wife Isabella about certain lands in Ardach.

III.—Agreement in the King's Court between Stephen Fitz Reymund and his wife, and the Bishop of Limerick about certain lands in Clontyprid.

IV.—Agreement in the King's Court between David Barry and Robert, bishop of Limerick about the Fair of Kilmallok.

V.—Agreement made in the King's Court between Robert bishop of Limerick and Martin Le Chapeleyn about certain lands in Clonath.

VI.—Agreement in the King's Court between John Purcel and his wife Eleanor, and Robert Bishop of Limerick about certain lands in Clanfder.

VII.—Agreement in the King's Court between Gerald bishop of Limerick and Roger Fitz David about certain lands in Ardach.

VIII.—Agreement in the King's Court between Gerald bishop of Limerick and Radulph Fitz Andrew about certain lands in Ardach.

IX.—Agreement in the King's Court between John Fitz Geoffrey and Robert, bishop of Limerick about certain lands in Cormoran and Falsky.

X.—Agreement in the King's Court about certain lands in Mungaret.

XI.—Agreement between Henry Motyng and Robert bishop of Limerick about the rights of Presentation to the Church of Nentenan.

XII.—Agreement in the King's Court between Robert, bishop of Limerick and John de Inteberge about certain lands in Mungaret.

XIII.—Agreement in the King's Court between Robert bishop of Limerick and Ceth Le Yreys about certain lands in Clonbalitarsne.

XIV.—Agreement in the King's Court between Robert, bishop of Limerick and Gilbert de Rathrenach about certain lands in Clonath.

XV.—Agreement in the King's Court between Gerald, bishop of Limerick and John Dondon about a certain portion of land in Limerick.

XVI.—Agreement between Hugh Purcel and Gerald bishop of Limerick about certain lands in Clonlismon, Clausderbasse and Moycro.

XVII.—Agreement in the King's Court between Robert bishop of Limerick and Hugh de Possewyke about certain land in Clonelty.

XVIII.—Agreement in the King's Court between Hugh Purcel and Gerald bishop of Limerick about certain lands in Clonlismon, Clausderbasse, and Moycro.

XIX.—Agreement in the King's Court between Robert bishop of Limerick and Andrew Fitz Walter about certain lands in Clonnach.

XX.—Agreement in the King's Court between Robert bishop of Limerick and Margaret wife of Tyrry de Kardyf about certain lands in Drumdel.

XXI.—Agreement between Robert bishop of Limerick and John, son of John la Parson, about certain lands in Kylmurly and Kylfergus.

XXII.—Deeds about Kilmallok and other lands belonging to the Church of Limerick.

XXIII.—Inquisition about the lands appertaining to the Church of Limerick, taken by Meyler Fitz Henry Justiciary of Ireland.

XXIV.—Inquisition about the above lands taken by William De Burgo.

XXV.—Acknowledgement of Geoffrey de Mareys that he had done homage to the bishop of Limerick for certain lands.

XXVI.—Notification of Griffin, bishop of Lismore about the damage done to the bishop and Church of Limerick by Geoffrey de Mareys.

XXVII.—Quit claim to the bishop of Limerick of Thomas de Clar about the market of Kilmallok.

XXVIII.—Grant by William Fitz Martin of certain land near Kilmallok to Hubert, bishop of Limerick.

XXIX.—Quit claim to the bishop of Limerick by Gerald Fitz Milo of certain lands at Kilmallok.

XXX.—Quit claim to the bishop of Limerick by Claricia Fitz Pagan of certain lands at Kilmallok.

XXXI.—Quit claim to the bishop of Limerick by William Martyn of certain lands near Kilmallok.

XXXII.—Grant of Donald, king of Limerick.

XXXIII.—Quit claim of the Prior and Convent of Conal to the bishop of Limerick of the mill of Kilmallok and certain adjoining lands.

XXXIV.—Document of the Prior and Convent of Conal securing to the bishop of Limerick the mill of Kilmallok.

XXXV.—Grant of Adam Ketyng to the Bishop and Cathedral of St. Mary's of the Benefices in Ofergus and OConyl.

XXXVI.—Grant of the Abbot and Monastery of Moy of the lands of Polmanath in Limerick.

XXXVII.—Grant of Symon Fitz Gilbert to the Cathedral of St. Mary's of yearly rent of ½ mark in the city of Limerick.

XXXVIII.—Restoration of the Church of Ardpatrick and of the Parochial Rights in Glynhonelan and Desbeg by the Prior of St. Mary's, provost of the Church of Cashel, to the Bishop of Limerick.

XXXIX.—Prohibition of King John against erecting fortifications on the lands belonging to the Bishop of Limerick.

XL.—Grant of Robert of St. Edmunds to Thomas, Chancellor of Limerick Cathedral, of certain lands in Le Mers.

XLI.—Quit claim of the Bishop of Killaloe about lands of Donathmor.

XLII.—Grant of the Abbot and Convent of May to the Cathedral of St. Mary's of certain land beside the White Cross, near Limerick.

XLIII.—Grant by Hubert, bishop of Limerick, to the Chapter of the ecclesiastical benefices in Glyncorbry.

XLIV.—Guarantee and Quit claim of Henry le Mineter, that he will not disturb the bishop of Limerick about certain lands adjoining the bishop's manor at Drumdel.

XLV.—Quit claim of Elias Fitz Adam to Robert, bishop of Limerick, of certain lands in Clonnelisdonnan and Ertherath.

XLVI.—Quit claim of Radulph de Northewych to the bishop and chapter of Limerick of certain lands in Mungaret.

XLVII.—Presentation to the King's Chapel at Limerick made by Geoffrey de Mareys, justiciary.

XLVIII.—Final agreement made between the bishop of Ardfert and the Fishermen of Limerick.

XLIX.—Agreement between the bishops of Limerick and Killaloe about the lands of Donathmor.

L.—Quit claim of John Le Penrys to the bishop and chapter of Limerick of certain lands in Laukyl.

LI.—Quit claim of John of Flanders to the bishop of Limerick and the Church of St. Mary's of certain lands in Dyssert Enegus and Catthyrasse.

LII.—Grant of Hubert, bishop of Limerick, of the villa of Sengol to the Canons and Vicars of St. Mary's, Limerick.

LIII.—Resignation of the Church of Crecouertha by Simon Fitz-Walter, its rector.

LIV.—The farm of Callun restored to the bishop of Limerick by Richard Fitz Walter.

LV.—Collation of the Church of Inskefty by the bishop of Limerick.

LVI.—The Archbishop of Cashel binds himself to confirm the sentences passed by his suffragans.

LVII.—Grant of Hubert, bishop of Limerick, that in case of death of clerics of Limerick, their executors may hold the fruits of their benefices for one full year after their death.

LVIII.—Assignation of the tithes and offerings made to the Chapter of Limerick by the bishops.

LIX.—Grant of Symon, son of Gilbert le Latimer, to the Cathedral of Limerick of forty denarii annually in Limerick.

LX.—Quit claim of John Walsh to the bishop of Limerick about lands of Kilmurle and Kilfergus.

LXI.—Grant of Hubert, bishop of Limerick, to the Chapter of the Church of Kiletheni.

LXII.—Grant of Philip Maleden to the Cathedral of Limerick of an annual rental in the city of Limerick of 12 denarii.

LXIII—Inquisition held by order of King Henry III. about the Tithes of the Fishery and Mills of Limerick. Did they belong to the King's Chapel or to the Cathedral ?

LXIV.—Grant of Hubert, bishop, to the Chapter of the Church of Clonka.

LXV.—Agreement between Robert, bishop of Limerick, and Reginald of St. James, about lands of Cathyrasse.

LXVI.—Quit claim of Thomas O'Regan to the bishops of Limerick of the land of Clonnawylly.

LXVII.—Canonical obedience rendered by Malachy, Rector of Ardpatrick to the bishop of Limerick.

LXVIII.—Resignation of Church of Crecouertha, by Symon Fitz-Walter, its rector.

LXIX.—Payment made in the Roman Curia by the bishop of Limerick.

LXX.—Grant of Geoffrey de Mareys of 10 ploughlands in Omayl to the bishop of Limerick.

LXXI.—Grant to the Cathedral of St. Mary's, by Hubert, bishop of Limerick of the ecclesiastical benefices of Kilstoly, Kilgoban, Kilscelbeg.

LXXII.—Grant of King Edward to the canons of Limerick that they might extend their houses and courts towards the sea.

LXXIII.—Quit claim of Adam, son of Robert, about the lands of Kilscanylle.

LXXIV.—Agreement between the bishop of Limerick and Thomas Fitz Seman about a portion of the mill at Kilmallock.

LXXV.—Quit claim of Maurice le Marechall to the bishop and chapter of Limerick about land in Ardach.

LXXVI.—Quit claim of John Butler to the Bishop of Limerick about the land of Killelele.

LXXVII.—Liberties conceded to the church of Limerick and confirmed by its bishops and canons.

LXXVIII.—Statute about the recovery of half the expenses of building their houses by the canons.

LXXIX.—Old statutes of the church and chapter of Limerick.

LXXX.—New statutes of the same church.

LXXXI.—Concession of Hubert, bishop of Limerick of half the offerings received when the bishop personally celebrates Mass in the Cathedral. This had been previously reserved to the bishop.

LXXXII.—Confederation between the bishop and chapters of Limerick and Lismore.

LXXXIII.—Grant of Robert Bagod about the bishop's manor in Limerick.

LXXXIV.—Agreement between the Archbishop of Cashel and the chapter of Limerick about the Jurisdiction of the Diocese, *sede vacante.*

LXXV.—Grant of Gerald, Bishop of Limerick, to Thomas de Wodeforde of half the expenses incurred in building his house which he has handed over for the use of his successors.

LXXXVI.—Grant of John Young to the bishop and cathedral of Limerick of 4 solidi, 4 denarii, annual rental in Kilmallock.

LXXXVII.—Grant of Philip, son of John Fitz-Thomas, to the bishops and chapter of 14 solidi, annual rental in Kilmallock.

LXXXVIII.—Grant of William Ruffus to the bishop and chapter of certain annual rentals in Kilmallock.

LXXXIX.—Grant of William Stoke to the bishops and chapter of certain rentals in Kilmallock.

XC.—Grant of Adams, son of John Fitz Geoffrey to the bishops and chapters of twenty denarii, annual rental in Kilmallock.

XCI.—Grant of Hubert, bishop, to Thomas, dean of Limerick, of certain churches.

XCII.—Grant of Robert, bishop of Limerick, to same.

XCIII.—Deeds of the Abbot and Convent of Keynsham about certain ecclesiastical benefices given to the Cathedral of Limerick.

XCIV.—Grant of Roger Waspayl of the Church of Rathgel to the Church of St. Mary's, Kenysham.

XCV.—Resignation of certain benefices by the abbot and convent of St. Mary's, Keynsham.

XCVI.—The abbot and convent of Keynesham appoints John de Bureford as their procurator in Ireland.

XCVII.—Grant of the dean and chapter of Limerick of certain lands in the city of Limerick to Geoffrey de Ory.

XCVIII.—Grant to John Norfolk by the bishop of Limerick of the land of Balycomydyne.

XCIX.—Confirmation by Gerald, Bishop of Limerick and chapter to Benedict of Kildare of certain lands in Donathmore.

C.—Confirmation of bishop and chapter of Limerick of the land of Balicomydn in Mungaret to Robert of Norfolk.

CI.—The chapter approves of this grant.

CII.—Resignation by the prior and convent of Athissel of certain benefices.

CIII.—Process against the Prior and community of Athissel.

CIV.—Commission of the bishop of Cloyne about this trial.

CV.—Citation of the prior and community of Athissel.

CVI.—Commission of the dean and bishop of Cloyne.

CVII.—Citation of the prior and community of Athissel.

CVIII.—Sequestration of the benefices of the prior and community of Athissel.

CIX—Second citation of prior and community of Athissel.

CX.—Trial. First day's proceedings.

CXI.—Third day's proceedings.

CXII.—Fourth day's proceedings.

CXIII.—Fifth day's proceedings.

CXIV.—Sixth day's proceedings.

CXV.—Seventh day's proceedings.

CXVI.—Grant to Walter Cropp to the community of Athissel of the church of Carnarthy.

CXVII.—Resignation of the prior of Athissel of certain ecclesiastical benefices.

CXVIII.—Receipt of Gesta de Lumbard for certain sums received from the dean and chapter of Limerick through Thomas de Cocis.

CXIX.—Another receipt of same to same.

CXX.—Quit claim of John Fitz David to the bishop of Limerick of certain land in Tullachbrec.

CXXI.—Grant of Philip de Maladen of an annual rental of 12 denarii in the city of Limerick.

CXXII.—Grant of Richard of Flanders to the Cathedral of Limerick of the rights of patronage in Magrany.

CXXIII.—Quit claim of Richard Fitz William to Robert, of Emly, bishop of Limerick, of the farm of Calun.

CXXIV.—Grant of Thomas de Clare to the Cathedral of Limerick of the rights of patronage in the Church of Corkomoyd.

CXXV.—Grant of King John of certain lands to Chapter of Limerick.

CXXVI.—Grant of the citizens of Limerick of lands in Omayll to Edmund, bishop of Limerick, according to the order of Geoffrey de Mareys, justiciary.

CXXVII.—Quit claim of Adam, of Flanders, about the rental of Clonyld.

CXXVIII.—Grant of John Cogan, senior, to the Cathedral of Limerick of the rights of patronage over the Church of Crecouertha.

CXXIX.—Quit claim of Juliana de Clare to the dean and chapter of Limerick of the advowson of Corkomoyd.

CXXX.—Quit claim of John Fitz Thomas to the dean and chapter of Limerick of the right of advowson in the church of Corkomoyd.

CXXXI.—Union of the rectory and vicarage of Corkomoyd made by Gerald, bishop of Limerick.

CXXXII.—Gerald, bishop of Limerick, admits the dean and chapter of Limerick to the Church of Crecouertha.

CXXXIII.—Order from Henry III. to hold an inquiry about the owner of the Fisheries and Mills of Limerick, to see if they belong to the King's Chapel or to the Cathedral.

CXXXIV.—Submission of the prior and community of Athissel to the award made by the Judges who had been appointed to try the case between themselves and the Bishop of Limerick.

CXXXV.—Grant of William de Burgo to Donatus, bishop of Limerick, of the lands of Lesuanermadda, with certain portions in Esclone.

CXXXVI.—Agreement between Hubert, Bishop of Limerick, and G. de Prendergaste, about the advowsons of the churches of Kilconegan, of Kilbyly, and of Effyng.

CXXXVII.—Agreement between Roger Waspayl and the Rector of Rathenesuer about the lands appertaining to that church.

CXXXVIII.—Grant of John Butler to the Cathedral of the Church of Katherbathelach.

CXXXIX.—Grant of the abbot and community of the island of Moelanfyd to the Bishop of Limerick of certain rights in the church of Dermeko.

CXL.—Gift of John Fitz Thomas to the church of St. Mary's of the church of Senode.

CXLI.—Letter of the Prior of Conal about the resignation of the mill at Kilmallock and portion of land adjoining.

CXLII.—Foundation of the chapter of Limerick by Bishop Donatus.

CXLIII.—Statute of the chapter of Limerick to prevent alienation of Church property.

CXLIV.—Constitution of the Bishop of Limerick about the Church of Effyng.

CXLV.—Concession of Maurice de Rupefort about the same church.

CXLVI.—Grant and confirmation of the bishop and chapter of Limerick about the Church of Dermoko.

CXLVII.—Grant of the citizens of Limerick of certain space to Thomas de Wodeforde, dean.

CXLVIII.—Arrangement of the prebends of the Church of Limerick made by Bishop Eustace.

CXLIX.—Grant of Richard de London to the Cathedral of the ecclesiastical benefices of Glyncorbry.

CL.—Judgment of the Archbishop of Cashel and the Bishop of Ferns about the Tithes of the Fisheries of Limerick Drummyolube and of the Mills of Limerick.

CLI.—Receipt from the Dean of Ossory for 40 pounds, 25 marks paid by the Bishop of Limerick.

CLII.—Grant of Thomas de Wodeforde to the Chapter of Limerick of his house, etc., in Limerick.

CLIII.—Receipt of John de Penrys for 10 pounds received from the Bishop of Limerick for the quit claim of Lamkyl.

CLIV.—Letter of Geoffrey de Mareys to the citizens of Limerick about the grant of certain lands to Edmund, Bishop of Limerick, by order of King John.

CLV.—Judgment of the Bishop, dean, and Archdeacon of Killaloe about the ecclesiastical burial granted by the monastery of Inistioc to one G. de Rupe who had been excommunicated by the Bishop of Limerick.

CLVI.—Payment made by the Bishop of Limerick to Italian Bankers.

CLVII.—Judgment of the Bishop of Lismore against Geoffrey de Mareys for injuries done to the bishops and Church of Limerick.

CLVIII.—Judgment of the Bishop of Cloyne against the same for the same.

CLIX.—Payment made by the Bishop of Limerick to Italian Bankers.

CLX.—Payment made by the Bishop of Limerick to Italian Bankers.

CLXI.—Judgment of the Bishop of Lismore against Geoffrey de Mareys.

CLXII.—Payment made by the Bishop of Limerick to Italian Bankers.

CLXIII.—Payment made by the Bishop of Limerick to Italian Bankers.

CLXIV.—Payment made by the Bishop of Limerick to Italian Bankers.

CLXV.—Letter from Bernard de Socia, Papal Clerk, that the Bishop of Limerick having made a settlement with Stephen Manetti is absolved from the excommunication issued against him, if he fulfil the terms of this agreement.

CLXVa.—Receipt from the Prior of the Dominicans in London for certain sums deposited with him by the procurator of the Bishop of Limerick.

CLXVI.—Receipt from Roger Sellarius' for certain sums deposited with him by Hubert, Bishop of Limerick, to be forwarded to England.

CLXVII.—Election agreement made by the Dean and Chapter of Limerick before the election of Eustace as bishop.

CLXVIII.—Quit claim of William de Wees to the Cathedral of Limerick of the rights of advowson and patronage of the Church of Crecouertha.

CLXIX.—Quit claim of Henry, son of David de Eytely, to Eustace Bishop of Limerick of certain lands in Tullaghbrek.'

CLXX.—Permission from King Edward to Maurice de Rupefort, Bishop of Limerick to receive certain rents in Kilmallock notwithstanding the Statute of Mortmain.

CLXXI.—Grant of King Edward about the Manors of the Court of the Bishop of Limerick.

CLXXII.—Letter of the Archbishop of Cashel about his visitation of the Diocese of Limerick.

CLXXIII.—From same on same subject.

CLXXIV.—Grant of the Bishop of Limerick to John of Cornwall of lands of Cloncouertha, Gortnetrossi, Kilcurnan and Garran Magrogeri.

CLXXV.—Agreement between Stephen, Bishop of Limerick and Robert, son of Stephen de Lawe, about the lands of Ballyoregan.

CLXXVI.—Command from King Edward to Stephen Bishop of Limerick that he should force two of his priests accused of serious crimes against the king, to appear before the Justiciary.

I, JAMES MACCAFFREY, was born at Fivemiletown, Co. Tyrone, Ireland, on 25th October, 1875. Having completed the ordinary course at the National School, I entered St. Macarten's College, Monaghan, and in September, 1892, passed the Matriculation Examination at St. Patrick's College, Maynooth, where I was ordained priest, in June, 1899. I then studied two years in the House of Higher Studies of the same College, and while there received the degree of Licentiate in Theology, and Baccalaureate in Canon Law. Having been appointed Professor of Ecclesiastical History (1901) in Maynooth College, I was allowed a Travelling Scholarship, and studied for six months at the Ecole des Hautes Études, and the Institut Catholique, Paris, and later went to the Albert-Ludwig Universität Freiburg, in Breisgau, where I kept the three Summer Semesters 1903, 1905, 1906, and followed the courses of Professors Finke, Dove, Thurneysen, Meinecke, to all of whom, but especially to Professor Finke, I am deeply grateful for their guidance and advice.

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